

# HB5686



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB5686

by Rep. Tim Butler

#### SYNOPSIS AS INTRODUCED:

See Index

Amends various Acts to conform statutes to the agency reorganization under Executive Order Number 1 (2017), which abolished the Historic Preservation Agency and transferred its powers, duties, and functions to the Department of Natural Resources, except for functions transferred by law from the Historic Preservation Agency to the Abraham Lincoln Presidential Library and Museum Agency. Effective immediately.

LRB100 17792 SLF 32971 b

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The State Employee Housing Act is amended by  
5 changing Sections 5-5, 5-15, 5-20, 5-25, 5-30, and 5-35 as  
6 follows:

7 (5 ILCS 412/5-5)

8 Sec. 5-5. Policy development. The Department of  
9 Corrections, the Department of Natural Resources ~~Historic~~  
10 ~~Preservation Agency~~, the University of Illinois, and the  
11 University of Illinois Foundation shall each develop a policy  
12 on housing for State employees that addresses the following:

- 13 (1) Purpose of providing housing.
- 14 (2) Application procedures.
- 15 (3) Eligibility.
- 16 (4) Tenant selection criteria.
- 17 (5) Accounting for housing in employee compensation.
- 18 (6) Employee responsibilities that necessitate  
19 State-provided housing.
- 20 (7) Procedures for setting and adjusting rent,  
21 security deposits, and utility payments.
- 22 (8) Documented justification for State ownership of  
23 each house or property.

1 (Source: P.A. 97-916, eff. 8-9-12.)

2 (5 ILCS 412/5-15)

3 Sec. 5-15. Rental housing. The Department of Corrections,  
4 the Department of Natural Resources ~~Historic Preservation~~  
5 ~~Agency~~, the Department of Transportation, the University of  
6 Illinois, and the University of Illinois Foundation shall each  
7 analyze the need for providing low-rent housing to its  
8 employees and shall consider alternatives to State-owned  
9 housing. Rent charged for State-owned housing shall be  
10 evaluated every 3 years for adjustments, including that  
11 necessitated by changing economic conditions.

12 (Source: P.A. 97-916, eff. 8-9-12.)

13 (5 ILCS 412/5-20)

14 Sec. 5-20. Security deposit. The Department of  
15 Corrections, the Department of Transportation, the Department  
16 of Natural Resources ~~Historic Preservation Agency~~, the  
17 University of Illinois, and the University of Illinois  
18 Foundation shall each analyze the need for all employee and  
19 non-employee tenants of State-owned housing to pay a reasonable  
20 security deposit and may each collect security deposits and  
21 maintain them in interest-bearing accounts.

22 (Source: P.A. 97-916, eff. 8-9-12.)

23 (5 ILCS 412/5-25)

1           Sec. 5-25. Utilities. The Department of Corrections, the  
2 Department of Natural Resources ~~Historic Preservation Agency~~,  
3 and the University of Illinois may each require its employees  
4 for whom it provides housing to pay their own utilities. If  
5 direct utility payment is required, a utility schedule shall be  
6 established for employees who can not directly pay utilities  
7 due to extenuating circumstances, such as occupancy of  
8 dormitories not individually metered.

9           (Source: P.A. 97-916, eff. 8-9-12.)

10           (5 ILCS 412/5-30)

11           Sec. 5-30. Tenant selection. The Department of  
12 Corrections, the Department of Natural Resources ~~Historic~~  
13 ~~Preservation Agency~~, the Department of Transportation, the  
14 University of Illinois, and the University of Illinois  
15 Foundation shall each develop and maintain application forms  
16 for its State-owned housing, written criteria for selecting  
17 employee tenants, and records of decisions as to who was  
18 selected to receive State housing and why they were selected.

19           (Source: P.A. 97-916, eff. 8-9-12.)

20           (5 ILCS 412/5-35)

21           Sec. 5-35. Housing justification. The Department of  
22 Natural Resources ~~Historic Preservation Agency~~, and the  
23 University of Illinois shall each develop written criteria for  
24 determining which employment positions necessitate provision

1 of State housing. The criteria shall include the specific  
2 employee responsibilities that can only be performed  
3 effectively by occupying State housing.

4 (Source: P.A. 97-916, eff. 8-9-12.)

5 Section 7. The Department of Natural Resources Act is  
6 amended by adding Section 1-45 as follows:

7 (20 ILCS 801/1-45 new)

8 Sec. 1-45. Report on transfer of the powers and duties of  
9 the Historic Preservation Agency to the Department.

10 The Department of Natural Resources shall, on or before  
11 December 31, 2018 and annually thereafter for 3 calendar years,  
12 provide a report to the General Assembly that includes an  
13 analysis of the effect the transfer of the powers and duties  
14 from the Historic Preservation Agency to the Department under  
15 this amendatory Act of the 100th General Assembly had on State  
16 government and State taxpayers. The report shall also include  
17 recommendations for further legislation relating to the  
18 implementation of the reorganization. A copy of each report  
19 shall be filed with the General Assembly as provided under  
20 Section 3.1 of the General Assembly Organization Act.

21 Section 10. The Interagency Wetland Policy Act of 1989 is  
22 amended by changing Section 2-1 as follows:

1 (20 ILCS 830/2-1) (from Ch. 96 1/2, par. 9702-1)

2 Sec. 2-1. Interagency Wetlands Committee. An Interagency  
3 Wetlands Committee, chaired by the Director of Natural  
4 Resources or his or her representative, is established. The  
5 Directors of the following agencies, or their respective  
6 representatives, shall serve as members of the Committee:

7 Capital Development Board,  
8 Department of Agriculture,  
9 Department of Commerce and Economic Opportunity,  
10 Environmental Protection Agency, and  
11 Department of Transportation, ~~and~~  
12 ~~Historic Preservation Agency.~~

13 The Interagency Wetlands Committee shall also include 2  
14 additional persons with relevant expertise designated by the  
15 Director of Natural Resources.

16 The Interagency Wetlands Committee shall advise the  
17 Director in the administration of this Act. This will include:

18 (a) Developing rules and regulations for the  
19 implementation and administration of this Act.

20 (b) Establishing guidelines for developing individual  
21 Agency Action Plans.

22 (c) Developing and adopting technical procedures for  
23 the consistent identification, delineation and evaluation  
24 of existing wetlands and quantification of their  
25 functional values and the evaluation of wetland  
26 restoration or creation projects.

1 (d) Developing a research program for wetland  
2 function, restoration and creation.

3 (e) Preparing reports, including:

4 (1) A biennial report to the Governor and the  
5 General Assembly on the impact of State supported  
6 activities on wetlands.

7 (2) A comprehensive report on the status of the  
8 State's wetland resources, including recommendations  
9 for additional programs, by January 15, 1991.

10 (f) Development of educational materials to promote  
11 the protection of wetlands.

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

13 Section 15. The State Parks Designation Act is amended by  
14 changing Section 1 as follows:

15 (20 ILCS 840/1) (from Ch. 105, par. 468g)

16 Sec. 1. The following described areas are designated State  
17 Parks and have the names herein ascribed to them:

18 Adeline Jay Geo-Karis Illinois Beach State Park, in Lake  
19 County;

20 Apple River Canyon State Park, in Jo Daviess County;

21 Argyle Lake State Park, in McDonough County;

22 Beaver Dam State Park, in Macoupin County;

23 Buffalo Rock State Park, in La Salle County;

24 Castle Rock State Park, in Ogle County;

1 Cave-in-Rock State Park, in Hardin County;  
2 Chain O'Lakes State Park, in Lake and McHenry Counties;  
3 Delabar State Park, in Henderson County;  
4 Dixon State Park, in Lee County;  
5 Dixon Springs State Park, in Pope County;  
6 Eagle Creek State Park, in Shelby County;  
7 Eldon Hazlet State Park, in Clinton County;  
8 Ferne Clyffe State Park, in Johnson County;  
9 Fort Creve Coeur State Park, in Tazewell County;  
10 Fort Defiance State Park, in Alexander County;  
11 Fort Massac State Park, in Massac County;  
12 Fox Ridge State Park, in Coles County;  
13 Frank Holten State Park, in St. Clair County;  
14 Funk's Grove State Park, in McLean County;  
15 Gebhard Woods State Park, in Grundy County;  
16 Giant City State Park, in Jackson and Union Counties;  
17 Goose Lake Prairie State Park, in Grundy County;  
18 Hazel and Bill Rutherford Wildlife Prairie State Park, in  
19 Peoria County;  
20 Hennepin Canal Parkway State Park, in Bureau, Henry, Rock  
21 Island, Lee and Whiteside Counties;  
22 Horseshoe Lake State Park, in Madison and St. Clair  
23 Counties;  
24 Illini State Park, in La Salle County;  
25 Illinois and Michigan Canal State Park, in the counties of  
26 Cook, Will, Grundy, DuPage and La Salle;



1 Johnson Sauk Trail State Park, in Henry County;  
2 Jubilee College State Park, in Peoria County, excepting  
3 Jubilee College State Historic Site as described in Section 7.1  
4 of the Historic Preservation ~~Agency~~ Act;  
5 Kankakee River State Park, in Kankakee and Will Counties;  
6 Kickapoo State Park, in Vermilion County;  
7 Lake Le-Aqua-Na State Park, in Stephenson County;  
8 Lake Murphysboro State Park, in Jackson County;  
9 Laurence C. Warren State Park, in Cook County;  
10 Lincoln Trail Homestead State Park, in Macon County;  
11 Lincoln Trail State Park, in Clark County;  
12 Lowden State Park, in Ogle County;  
13 Matthiessen State Park, in La Salle County;  
14 McHenry Dam and Lake Defiance State Park, in McHenry  
15 County;  
16 Mississippi Palisades State Park, in Carroll County;  
17 Moraine View State Park, in McLean County;  
18 Morrison-Rockwood State Park, in Whiteside County;  
19 Nauvoo State Park, in Hancock County, containing Horton  
20 Lake;  
21 Pere Marquette State Park, in Jersey County;  
22 Prophetstown State Park, in Whiteside County;  
23 Pyramid State Park, in Perry County;  
24 Railsplitter State Park, in Logan County;  
25 Ramsey Lake State Park, in Fayette County;  
26 Red Hills State Park, in Lawrence County;

1           Rock Cut State Park, in Winnebago County, containing Pierce  
2 Lake;

3           Rock Island Trail State Park, in Peoria and Stark Counties;  
4           Sam Parr State Park, in Jasper County;

5           Sangchris Lake State Park, in Christian and Sangamon  
6 Counties;

7           Shabbona Lake and State Park, in DeKalb County;

8           Siloam Springs State Park, in Brown and Adams Counties;

9           Silver Springs State Park, in Kendall County;

10          South Shore State Park, in Clinton County;

11          Spitler Woods State Park, in Macon County;

12          Starved Rock State Park, in La Salle County;

13          Stephen A. Forbes State Park, in Marion County;

14          Walnut Point State Park, in Douglas County;

15          Wayne Fitzgerald State Park, in Franklin County;

16          Weinberg-King State Park, in Schuyler County;

17          Weldon Springs State Park, in DeWitt County;

18          White Pines Forest State Park, in Ogle County;

19          William G. Stratton State Park, in Grundy County;

20          Wolf Creek State Park, in Shelby County.

21          (Source: P.A. 94-1042, eff. 7-24-06.)

22                 Section 20. The Outdoor Recreation Resources Act is amended  
23 by changing Sections 2a, 3a, 4a, and 5a as follows:

24                 (20 ILCS 860/2a) (from Ch. 105, par. 532a)

1           Sec. 2a. The Department of Natural Resources ~~Historic~~  
2 ~~Preservation Agency~~ is authorized to have prepared with the  
3 Department of Commerce and Economic Opportunity and to  
4 maintain, and keep up-to-date a comprehensive plan for the  
5 preservation of the historically significant properties and  
6 interests of the State.

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

8           (20 ILCS 860/3a) (from Ch. 105, par. 533a)

9           Sec. 3a. The Department of Natural Resources ~~Historic~~  
10 ~~Preservation Agency~~ is authorized to survey, design, develop,  
11 operate, and maintain historically significant properties and  
12 interests of the State; and to acquire land, waters,  
13 structures, and interests in land, waters and structures for  
14 such historic properties and interests. It may enter into  
15 contracts and agreements with the United States or any  
16 appropriate agency thereof, keep financial and other records  
17 relating thereto, and furnish to appropriate officials and  
18 agencies of the United States such reports and information as  
19 may be reasonably necessary to enable such officials and  
20 agencies to perform their duties under such programs. In  
21 connection with obtaining for the State of Illinois the  
22 benefits of any such program, the Department of Natural  
23 Resources ~~Historic Preservation Agency~~ shall coordinate its  
24 activities with and represent the interests of individuals,  
25 private organizations and units of government in the survey,

1 planning and development of historically significant  
2 properties and interests in the State.

3 (Source: P.A. 84-25.)

4 (20 ILCS 860/4a) (from Ch. 105, par. 534a)

5 Sec. 4a. The Department of Natural Resources ~~Historic~~  
6 ~~Preservation Agency~~ is authorized to receive Federal monies for  
7 the survey, acquisition, planning and development of  
8 historically significant properties and interests. Monies so  
9 received shall be placed in the Illinois Historic Sites Fund in  
10 the State Treasury. The State Treasurer shall, ex officio, be  
11 the custodian of such fund. Subject to appropriation, such fund  
12 shall be drawn upon by the Department ~~Agency~~ or disbursed by  
13 the State Treasurer to local governmental units or other  
14 qualified participants upon the direction of the Department  
15 ~~Agency~~.

16 (Source: P.A. 84-25.)

17 (20 ILCS 860/5a) (from Ch. 105, par. 535a)

18 Sec. 5a. Projects involving participating Federal-aid  
19 funds may be undertaken by the Department of Natural Resources  
20 ~~Historic Preservation Agency~~ after it has been determined that  
21 sufficient funds are available to the Department ~~Agency~~ for  
22 meeting the non-federal share of project costs. It is the  
23 legislative intent that, to such extent as may be necessary to  
24 assure the proper operation, maintenance and preservation of

1 historic properties and interests surveyed, acquired or  
2 developed pursuant to any program participated in by this State  
3 under authority of this Act, such historic properties and  
4 interests shall be publicly maintained for historic  
5 preservation purposes. The Department of Natural Resources  
6 ~~Historic Preservation Agency~~ may enter into and administer  
7 agreements with the United States or any appropriate agency  
8 thereof for survey, planning, acquisition, development and  
9 preservation projects involving participating Federal-aid  
10 funds on behalf of any county, city, other governmental unit or  
11 qualified participant provided such county, city, other local  
12 governmental unit or qualified participant gives necessary  
13 assurances to the Department of Natural Resources ~~Historic~~  
14 ~~Preservation Agency~~ that it has available sufficient funds to  
15 meet its share of the cost of the project and that the  
16 surveyed, acquired or developed historic properties and  
17 interests will be operated and maintained at its expense for  
18 historic preservation purposes.

19 (Source: P.A. 84-25.)

20 Section 25. The Historic Preservation Agency Act is amended  
21 by changing Sections 1, 2, 6, 8, 11, 12, 13, 14, 15, 16, 19, 22,  
22 and 35 and by adding Sections 3.1 and 4.5 as follows:

23 (20 ILCS 3405/1) (from Ch. 127, par. 2701)

24 Sec. 1. This Article shall be known and may be cited as the

1 "Historic Preservation ~~Agency~~ Act".

2 (Source: P.A. 84-25.)

3 (20 ILCS 3405/2) (from Ch. 127, par. 2702)

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

5 (a) (Blank); ~~"Agency" means the Historic Preservation~~  
6 ~~Agency;~~

7 (b) (Blank); ~~"Board" means the Board of Trustees of the~~  
8 ~~Historic Preservation Agency;~~

9 (b-5) "Department" means the Department of Natural  
10 Resources.

11 (c) "Director" means the Director of Natural Resources  
12 ~~Historic Sites and Preservation;~~

13 (d) (Blank);

14 (e) (Blank);

15 (f) (Blank); and

16 (g) "Historic Sites and Preservation Division" means the  
17 Division of Historic Preservation within the Department of  
18 Natural Resources ~~that part of the Agency that is headed by the~~  
19 ~~Director of Historic Sites and Preservation.~~

20 (Source: P.A. 100-120, eff. 8-18-17.)

21 (20 ILCS 3405/3.1 new)

22 Sec. 3.1. Agency abolished; functions transferred.

23 (a) On the effective date of this amendatory Act of the  
24 100th General Assembly, the Historic Preservation Agency,

1 including the Board of Trustees, is hereby abolished and all  
2 powers, duties, rights, and responsibilities of the Historic  
3 Preservation Agency, except those functions relating to the  
4 Abraham Lincoln Presidential Library and Museum, shall be  
5 transferred to the Department of Natural Resources. The powers,  
6 duties, rights, and responsibilities related to the functions  
7 of the Historic Preservation Agency transferred under this this  
8 amendatory Act of the 100th General Assembly shall be vested in  
9 and shall be exercised by the Department of Natural Resources.  
10 Each act done in the exercise of those powers, duties, rights,  
11 and responsibilities shall have the same legal effect as if  
12 done by the Historic Preservation Agency or its divisions,  
13 officers, or employees.

14 (b) The personnel and positions within the Historic  
15 Preservation Agency shall be transferred to the Department of  
16 Natural Resources and shall continue their service within the  
17 Department of Natural Resources. The status and rights of those  
18 employees under the Personnel Code shall not be affected by  
19 this amendatory Act of the 100th General Assembly. The rights  
20 of the employees and the State of Illinois and its agencies  
21 under the Personnel Code and applicable collective bargaining  
22 agreements or under any pension, retirement, or annuity plan,  
23 shall not be affected by this amendatory Act of the 100th  
24 General Assembly.

25 (c) All books, records, papers, documents, property (real  
26 and personal), contracts, causes of action, and pending

1 business pertaining to the powers, duties, rights, and  
2 responsibilities transferred by this amendatory Act of the  
3 100th General Assembly from the Historic Preservation Agency to  
4 the Department of Natural Resources, including, but not limited  
5 to, material in electronic or magnetic format and necessary  
6 computer hardware and software, shall be transferred to the  
7 Department of Natural Resources.

8 (d) With respect to the functions of the Historic  
9 Preservation Agency transferred under this amendatory Act of  
10 the 100th General Assembly, the Department of Natural Resources  
11 is the successor agency to the Historic Preservation Agency  
12 under the Successor Agency Act and Section 9b of the State  
13 Finance Act. All unexpended appropriations and balances and  
14 other funds available for use by the Historic Preservation  
15 Agency shall, under the direction of the Governor, be  
16 transferred for use by the Department of Natural Resources in  
17 accordance with this amendatory Act of the 100th General  
18 Assembly. Unexpended balances so transferred shall be expended  
19 by the Department of Natural Resources only for the purpose for  
20 which the appropriations were originally made.

21 (e) The manner in which any official is appointed, except  
22 that when any provision of an Executive Order or Act provides  
23 for the membership of the Historic Preservation Agency on any  
24 council, commission, board, or other entity, the Director of  
25 Natural Resources or his or her designee shall serve in that  
26 place; if more than one person is required by law to serve on



1 any council, commission, board, or other entity, then an  
2 equivalent number of representatives of the Department of  
3 Natural Resources shall so serve.

4 (f) Whenever reports or notices are required to be made or  
5 given or papers or documents furnished or served by any person  
6 to or upon the Historic Preservation Agency in connection with  
7 any of the powers, duties, rights, or responsibilities  
8 transferred by this amendatory Act of the 100th General  
9 Assembly, the same shall be made, given, furnished, or served  
10 in the same manner to or upon the Department of Natural  
11 Resources.

12 (g) Any rules of the Historic Preservation Agency that  
13 relate to its powers, duties, rights, and responsibilities and  
14 are in full force on the effective date of this amendatory Act  
15 of the 100th General Assembly shall become the rules of the  
16 Department of Natural Resources. This amendatory Act of the  
17 100th General Assembly does not affect the legality of any of  
18 those rules in the Illinois Administrative Code. Any proposed  
19 rule filed with the Secretary of State by the Historic  
20 Preservation Agency that is pending in the rulemaking process  
21 on the effective date of this amendatory Act of the 100th  
22 General Assembly and pertain to the powers, duties, rights, and  
23 responsibilities transferred, shall be deemed to have been  
24 filed by the Department of Natural Resources. As soon as  
25 practicable hereafter, the Department of Natural Resources  
26 shall revise and clarify the rules transferred to it under this

1 amendatory Act of the 100th General Assembly to reflect the  
2 reorganization of powers, duties, rights, and responsibilities  
3 affected by this amendatory Act of the 100th General Assembly,  
4 using the procedures for recodification of rules available  
5 under the Illinois Administrative Procedure Act, except that  
6 existing title, part, and section numbering for the affected  
7 rules may be retained. On and after the effective date of this  
8 amendatory Act of the 100th General Assembly, the Department of  
9 Natural Resources may propose and adopt, under the Illinois  
10 Administrative Procedure Act, any other rules that relate to  
11 the functions of the Historic Preservation Agency transferred  
12 to and that will now be administered by the Department of  
13 Natural Resources.

14 (h) The transfer of powers, duties, rights, and  
15 responsibilities to the Department of Natural Resources under  
16 this amendatory Act of the 100th General Assembly does not  
17 affect any person's rights, obligations, or duties, including  
18 any civil or criminal penalties applicable, arising out of  
19 those transferred powers, duties, rights, and  
20 responsibilities.

21 (i) This amendatory Act of the 100th General Assembly does  
22 not affect any act done, ratified, or canceled, or any right  
23 occurring or established, or any action or proceeding had or  
24 commenced in an administrative, civil, or criminal cause by the  
25 Historic Preservation Agency before the effective date of this  
26 amendatory Act of the 100th General Assembly; those actions or

1 proceedings may be defended, prosecuted, or continued by the  
2 Department of Natural Resources.

3 (j) This amendatory Act of the 100th General Assembly does  
4 not contravene, and shall not be construed to contravene, any  
5 State statute except as provided in this Section or federal  
6 law.

7 (20 ILCS 3405/4.5 new)

8 Sec. 4.5. Division of Historic Preservation.

9 On and after the effective date this amendatory Act of the  
10 100th General Assembly, the Division of Historic Preservation  
11 of the Department of Natural Resources Office of Land  
12 Management shall exercise all rights, powers, and duties vested  
13 in the Historic Sites and Preservation Division. The head of  
14 the Division shall be known as the Division Manager of Historic  
15 Preservation. The Department of Natural Resources may employ or  
16 retain other persons to assist in the discharge of its  
17 functions under this Act, subject to the Personnel Code and any  
18 other applicable Department policies.

19 (20 ILCS 3405/6) (from Ch. 127, par. 2706)

20 Sec. 6. Jurisdiction. The Historic Sites and Preservation  
21 Division of the ~~Department Agency~~ shall have jurisdiction over  
22 the following described areas which are hereby designated as  
23 State Historic Sites, State Memorials, and Miscellaneous  
24 Properties:

## 1 State Historic Sites

2 Bishop Hill State Historic Site, Henry County;

3 Black Hawk State Historic Site, Rock Island County;

4 Bryant Cottage State Historic Site, Piatt County;

5 Buel House, Pope County;

6 Cahokia Courthouse State Historic Site, St. Clair County;

7 Cahokia Mounds State Historic Site, in Madison and St.

8 Clair Counties (however, the Illinois State Museum

9 shall act as curator of artifacts pursuant to the

10 provisions of the Archaeological and Paleontological

11 Resources Protection Act);

12 Dana-Thomas House State Historic Site, Sangamon County;

13 David Davis Mansion State Historic Site, McLean County;

14 Douglas Tomb State Historic Site, Cook County;

15 Fort de Chartres State Historic Site, Randolph County;

16 Fort Kaskaskia State Historic Site, Randolph County;

17 Grand Village of the Illinois, LaSalle County;

18 U. S. Grant Home State Historic Site, Jo Daviess County;

19 Hotel Florence, Cook County;

20 Jarrot Mansion State Historic Site, St. Clair County;

21 Jubilee College State Historic Site, Peoria County;

22 Lincoln-Herndon Law Offices State Historic Site, Sangamon

23 County;

24 Lincoln Log Cabin State Historic Site, Coles County;

25 Lincoln's New Salem State Historic Site, Menard County;

1 Lincoln Tomb State Historic Site, Sangamon County;  
2 Pierre Menard Home State Historic Site, Randolph County;  
3 Metamora Courthouse State Historic Site, Woodford County;  
4 Moore Home State Historic Site, Coles County;  
5 Mount Pulaski Courthouse State Historic Site, Logan  
6 County;  
7 Old Market House State Historic Site, Jo Daviess County;  
8 Old State Capitol State Historic Site, Sangamon County;  
9 Postville Courthouse State Historic Site, Logan County;  
10 Pullman Factory, Cook County;  
11 Rose Hotel, Hardin County;  
12 Carl Sandburg State Historic Site, Knox County;  
13 Shawneetown Bank State Historic Site, Gallatin County;  
14 Vachel Lindsay Home, Sangamon County;  
15 Vandalia State House State Historic Site, Fayette County;  
16 and  
17 Washburne House State Historic Site, Jo Daviess County.

18 State Memorials

19 Campbell's Island State Memorial, Rock Island County;  
20 Governor Bond State Memorial, Randolph County;  
21 Governor Coles State Memorial, Madison County;  
22 Governor Horner State Memorial, Cook County;  
23 Governor Small State Memorial, Kankakee County;  
24 Illinois Vietnam Veterans State Memorial, Sangamon County;  
25 Kaskaskia Bell State Memorial, Randolph County;

1 Korean War Memorial, Sangamon County;  
2 Lewis and Clark State Memorial, Madison County;  
3 Lincoln Monument State Memorial, Lee County;  
4 Lincoln Trail State Memorial, Lawrence County;  
5 Lovejoy State Memorial, Madison County;  
6 Norwegian Settlers State Memorial, LaSalle County; and  
7 Wild Bill Hickok State Memorial, LaSalle County.

8 Miscellaneous Properties

9 Albany Mounds, Whiteside County;  
10 Emerald Mound, St. Clair County;  
11 Halfway Tavern, Marion County;  
12 Hofmann Tower, Cook County; and  
13 Kincaid Mounds, Massac and Pope Counties.

14 (Source: P.A. 92-600, eff. 7-1-02.)

15 (20 ILCS 3405/8)

16 Sec. 8. Business plans. The Department ~~Agency~~ shall create  
17 an individual business plan for each historic site related to  
18 Abraham Lincoln that is listed in Section 6 of this Act. Each  
19 business plan must address ways to enhance tourism at the  
20 historic site and the historic aspect of each site. The  
21 Department ~~Agency~~ may seek assistance from the Department of  
22 Commerce and Economic Opportunity when creating the business  
23 plans. The Department ~~Agency~~ shall complete the business plans  
24 no later than January 1, 2008.

1 (Source: P.A. 95-156, eff. 8-14-07.)

2 (20 ILCS 3405/11) (from Ch. 127, par. 2711)

3 Sec. 11. The Historic Sites and Preservation Division of  
4 the Department ~~Agency~~ shall exercise all rights, powers and  
5 duties vested in the Department of Conservation by the  
6 "Illinois Historic Preservation Act", approved August 14,  
7 1976, as amended.

8 (Source: P.A. 92-600, eff. 7-1-02.)

9 (20 ILCS 3405/12) (from Ch. 127, par. 2712)

10 Sec. 12. The Historic Sites and Preservation Division of  
11 the Department ~~Agency~~ shall exercise all rights, powers and  
12 duties vested in the Department of Conservation by Section  
13 63a34 of the Civil Administrative Code of Illinois (renumbered;  
14 now Section 805-220 of the Department of Natural Resources  
15 (Conservation) Law, 20 ILCS 805/805-220).

16 (Source: P.A. 91-239, eff. 1-1-00; 92-600, eff. 7-1-02.)

17 (20 ILCS 3405/13) (from Ch. 127, par. 2713)

18 Sec. 13. The Historic Sites and Preservation Division of  
19 the Department ~~Agency~~ shall exercise all rights, powers and  
20 duties vested in the Department of Conservation by "An Act  
21 relating to the planning, acquisition and development of  
22 outdoor recreation resources and facilities, and authorizing  
23 the participation by the State of Illinois its political

1 subdivisions and qualified participants in programs of Federal  
2 assistance relating thereto", approved July 6, 1965, as  
3 amended, solely as it relates to the powers, rights, duties and  
4 obligations heretofore exercised by the Department of  
5 Conservation over historically significant properties and  
6 interests of the State.

7 (Source: P.A. 92-600, eff. 7-1-02.)

8 (20 ILCS 3405/14) (from Ch. 127, par. 2714)

9 Sec. 14. The Historic Sites and Preservation Division of  
10 the Department ~~Agency~~ shall exercise all rights, powers and  
11 duties set forth in Sections 10-40 through 10-85 of the  
12 Property Tax Code.

13 (Source: P.A. 92-600, eff. 7-1-02.)

14 (20 ILCS 3405/15) (from Ch. 127, par. 2715)

15 Sec. 15. The Historic Sites and Preservation Division of  
16 the Department ~~Agency~~ shall exercise all rights, powers and  
17 duties vested in the Department of Conservation by Section  
18 4-201.5 of the "Illinois Highway Code", approved June 8, 1959,  
19 as amended, solely as it relates to access to historic sites  
20 and memorials designated pursuant to this Act.

21 (Source: P.A. 92-600, eff. 7-1-02.)

22 (20 ILCS 3405/16) (from Ch. 127, par. 2716)

23 Sec. 16. The Historic Sites and Preservation Division of



1 the Department ~~Agency~~ shall have the following additional  
2 powers:

3 (a) To hire agents and employees necessary to carry out the  
4 duties and purposes of the Historic Sites and Preservation  
5 Division of the Department ~~Agency~~.

6 (b) To take all measures necessary to erect, maintain,  
7 preserve, restore, and conserve all State Historic Sites and  
8 State Memorials, except when supervision and maintenance is  
9 otherwise provided by law. This authorization includes the  
10 power, ~~with the consent of the Board,~~ to enter into contracts,  
11 acquire and dispose of real and personal property, and enter  
12 into leases of real and personal property. The Department  
13 ~~Agency~~ has the power to acquire, for purposes authorized by  
14 law, any real property in fee simple subject to a life estate  
15 in the seller in not more than 3 acres of the real property  
16 acquired, subject to the restrictions that the life estate  
17 shall be used for residential purposes only and that it shall  
18 be non-transferable.

19 (c) To provide recreational facilities, including  
20 campsites, lodges and cabins, trails, picnic areas, and related  
21 recreational facilities, at all sites under the jurisdiction of  
22 the Department ~~Agency~~.

23 (d) To lay out, construct, and maintain all needful roads,  
24 parking areas, paths or trails, bridges, camp or lodge sites,  
25 picnic areas, lodges and cabins, and any other structures and  
26 improvements necessary and appropriate in any State historic

1 site or easement thereto; and to provide water supplies, heat  
2 and light, and sanitary facilities for the public and living  
3 quarters for the custodians and keepers of State historic  
4 sites.

5 (e) To grant licenses and rights-of-way within the areas  
6 controlled by the Historic Sites and Preservation Division of  
7 the Department ~~Agency~~ for the construction, operation, and  
8 maintenance upon, under or across the property, of facilities  
9 for water, sewage, telephone, telegraph, electric, gas, or  
10 other public service, subject to the terms and conditions as  
11 may be determined by the Department ~~Agency~~.

12 (f) To authorize the officers, employees, and agents of the  
13 Historic Sites and Preservation Division of the Department  
14 ~~Agency~~, for the purposes of investigation and to exercise the  
15 rights, powers, and duties vested and that may be vested in it,  
16 to enter and cross all lands and waters in this State, doing no  
17 damage to private property.

18 (g) To transfer jurisdiction of or exchange any realty  
19 under the control of the Historic Sites and Preservation  
20 Division of the Department ~~Agency~~ to any other Department of  
21 the State Government, or to any agency of the Federal  
22 Government, or to acquire or accept Federal lands, when any  
23 transfer, exchange, acquisition, or acceptance is advantageous  
24 to the State and is approved in writing by the Governor.

25 (h) To erect, supervise, and maintain all public monuments  
26 and memorials erected by the State, except when the supervision

1 and maintenance of public monuments and memorials is otherwise  
2 provided by law.

3 (i) To accept, hold, maintain, and administer, as trustee,  
4 property given in trust for educational or historic purposes  
5 for the benefit of the People of the State of Illinois and to  
6 dispose, ~~with the consent of the Board,~~ of any property under  
7 the terms of the instrument creating the trust.

8 (j) To lease concessions on any property under the  
9 jurisdiction of the Department Agency for a period not  
10 exceeding 25 years and to lease a concession complex at  
11 Lincoln's New Salem State Historic Site for which a cash  
12 incentive has been authorized under Section 5.1 of this the  
13 ~~Historic Preservation Agency~~ Act for a period not to exceed 40  
14 years. All leases, for whatever period, shall be made subject  
15 to the written approval of the Governor. All concession leases  
16 extending for a period in excess of 10 years, will contain  
17 provisions for the Department Agency to participate, on a  
18 percentage basis, in the revenues generated by any concession  
19 operation.

20 The Department Agency is authorized to allow for provisions  
21 for a reserve account and a leasehold account within Department  
22 ~~Agency~~ concession lease agreements for the purpose of setting  
23 aside revenues for the maintenance, rehabilitation, repair,  
24 improvement, and replacement of the concession facility,  
25 structure, and equipment of the Department Agency that are part  
26 of the leased premises.

1           The lessee shall be required to pay into the reserve  
2 account a percentage of gross receipts, as set forth in the  
3 lease, to be set aside and expended in a manner acceptable to  
4 the Department Agency by the concession lessee for the purpose  
5 of ensuring that an appropriate amount of the lessee's moneys  
6 are provided by the lessee to satisfy the lessee's incurred  
7 responsibilities for the operation of the concession facility  
8 under the terms and conditions of the concession lease.

9           The lessee account shall allow for the amortization of  
10 certain authorized expenses that are incurred by the concession  
11 lessee but that are not an obligation of the lessee under the  
12 terms and conditions of the lease agreement. The Department  
13 ~~Agency~~ may allow a reduction of up to 50% of the monthly rent  
14 due for the purpose of enabling the recoupment of the lessee's  
15 authorized expenditures during the term of the lease.

16           (k) To sell surplus agricultural products grown on land  
17 owned by or under the jurisdiction of the Historic Sites and  
18 Preservation Division of the Department Agency, when the  
19 products cannot be used by the Department Agency.

20           (l) To enforce the laws of the State and the rules and  
21 regulations of the Department Agency in or on any lands owned,  
22 leased, or managed by the Historic Sites and Preservation  
23 Division of the Department Agency.

24           (m) To cooperate with private organizations and agencies of  
25 the State of Illinois by providing areas and the use of staff  
26 personnel where feasible for the sale of publications on the

1 historic and cultural heritage of the State and craft items  
2 made by Illinois craftsmen. These sales shall not conflict with  
3 existing concession agreements. The Historic Sites and  
4 Preservation Division of the Department ~~Agency~~ is authorized to  
5 negotiate with the organizations and agencies for a portion of  
6 the monies received from sales to be returned to the Historic  
7 Sites and Preservation Division of the Department's ~~Agency's~~  
8 Historic Sites Fund for the furtherance of interpretive and  
9 restoration programs.

10 (n) To establish local bank or savings and loan association  
11 accounts, upon the written authorization of the Director, to  
12 temporarily hold income received at any of its properties. The  
13 local accounts established under this Section shall be in the  
14 name of the Department ~~Historic Preservation Agency~~ and shall  
15 be subject to regular audits. The balance in a local bank or  
16 savings and loan association account shall be forwarded to the  
17 Department ~~Agency~~ for deposit with the State Treasurer on  
18 Monday of each week if the amount to be deposited in a fund  
19 exceeds \$500.

20 No bank or savings and loan association shall receive  
21 public funds as permitted by this Section, unless it has  
22 complied with the requirements established under Section 6 of  
23 the Public Funds Investment Act.

24 (o) To accept, ~~with the consent of the Board,~~ offers of  
25 gifts, gratuities, or grants from the federal government, its  
26 agencies, or offices, or from any person, firm, or corporation.

1           (p) To make reasonable rules and regulations as may be  
2 necessary to discharge the duties of the Department Agency.

3           (q) With appropriate cultural organizations, to further  
4 and advance the goals of the Department Agency.

5           (r) To make grants for the purposes of planning, survey,  
6 rehabilitation, restoration, reconstruction, landscaping, and  
7 acquisition of Illinois properties (i) designated individually  
8 in the National Register of Historic Places, (ii) designated as  
9 a landmark under a county or municipal landmark ordinance, or  
10 (iii) located within a National Register of Historic Places  
11 historic district or a locally designated historic district  
12 when the Director determines that the property is of historic  
13 significance whenever an appropriation is made therefor by the  
14 General Assembly or whenever gifts or grants are received for  
15 that purpose and to promulgate regulations as may be necessary  
16 or desirable to carry out the purposes of the grants.

17           Grantees may, as prescribed by rule, be required to provide  
18 matching funds for each grant. Grants made under this  
19 subsection shall be known as Illinois Heritage Grants.

20           Every owner of a historic property, or the owner's agent,  
21 is eligible to apply for a grant under this subsection.

22           (s) To establish and implement a pilot program for charging  
23 admission to State historic sites. Fees may be charged for  
24 special events, admissions, and parking or any combination;  
25 fees may be charged at all sites or selected sites. All fees  
26 shall be deposited into the Illinois Historic Sites Fund. The

1 Historic Sites and Preservation Division of the Department  
2 ~~Agency~~ shall have the discretion to set and adjust reasonable  
3 fees at the various sites, taking into consideration various  
4 factors, including, but not limited to: cost of services  
5 furnished to each visitor, impact of fees on attendance and  
6 tourism, and the costs expended collecting the fees. The  
7 Department ~~Agency~~ shall keep careful records of the income and  
8 expenses resulting from the imposition of fees, shall keep  
9 records as to the attendance at each historic site, and shall  
10 report to the Governor and General Assembly by January 31 after  
11 the close of each year. The report shall include information on  
12 costs, expenses, attendance, comments by visitors, and any  
13 other information the Department ~~Agency~~ may believe pertinent,  
14 including:

15 (1) Recommendations as to whether fees should be  
16 continued at each State historic site.

17 (2) How the fees should be structured and imposed.

18 (3) Estimates of revenues and expenses associated with  
19 each site.

20 (t) To provide for overnight tent and trailer campsites and  
21 to provide suitable housing facilities for student and juvenile  
22 overnight camping groups. The Historic Sites and Preservation  
23 Division of the Department ~~Agency~~ shall charge rates similar to  
24 those charged by the Department ~~of Conservation~~ for the same or  
25 similar facilities and services.

26 (u) To engage in marketing activities designed to promote

1 the sites and programs administered by the Department ~~Agency~~.  
2 In undertaking these activities, the Department ~~Agency~~ may take  
3 all necessary steps with respect to products and services,  
4 including, but not limited to, retail sales, wholesale sales,  
5 direct marketing, mail order sales, telephone sales,  
6 advertising and promotion, purchase of product and materials  
7 inventory, design, printing and manufacturing of new products,  
8 reproductions, and adaptations, copyright and trademark  
9 licensing and royalty agreements, and payment of applicable  
10 taxes. In addition, the Department ~~Agency~~ shall have the  
11 authority to sell advertising in its publications and printed  
12 materials. All income from marketing activities shall be  
13 deposited into the Illinois Historic Sites Fund.  
14 (Source: P.A. 99-642, eff. 7-28-16.)

15 (20 ILCS 3405/19) (from Ch. 127, par. 2719)

16 Sec. 19. Whenever personal property has been loaned to or  
17 deposited with the Department ~~Agency~~ and held more than 25  
18 years and no person has made claim upon the property, the  
19 property shall be deemed abandoned and shall become the  
20 property of the Department ~~Agency~~. Provided, however, that in  
21 order to perfect the title the Department ~~Agency~~ must  
22 diligently seek to find the owner by writing to the owner at  
23 the last known address by certified mail. If no claim is made  
24 within 30 days of sending the certified letter, the Department  
25 ~~Agency~~ shall publish in the official State newspaper and in a



1 local newspaper that distributes in the area of owner's last  
2 known address a notice containing the name of the owner, a  
3 description of the property, and the method of filing a claim.  
4 If no person claims the property within 90 days after the  
5 advertisement is published, title to the property vests in the  
6 Department Agency.

7 (Source: P.A. 87-231.)

8 (20 ILCS 3405/22)

9 Sec. 22. Amistad Commission.

10 (a) Purpose. The General Assembly finds and declares that  
11 all people should know of and remember the human carnage and  
12 dehumanizing atrocities committed during the period of the  
13 African slave trade and slavery in America and of the vestiges  
14 of slavery in this country; and it is in fact vital to educate  
15 our citizens on these events, the legacy of slavery, the sad  
16 history of racism in this country, and the principles of human  
17 rights and dignity in a civilized society.

18 It is the policy of the State of Illinois that the history  
19 of the African slave trade, slavery in America, the depth of  
20 their impact in our society, and the triumphs of  
21 African-Americans and their significant contributions to the  
22 development of this country is the proper concern of all  
23 people, particularly students enrolled in the schools of the  
24 State of Illinois.

25 It is therefore desirable to create a Commission that, as

1 an organized body and on a continuous basis, will survey,  
2 design, encourage, and promote the implementation of education  
3 and awareness programs in Illinois that are concerned with the  
4 African slave trade, slavery in America, the vestiges of  
5 slavery in this country, and the contributions of  
6 African-Americans in building our country; to develop  
7 workshops, institutes, seminars, and other teacher training  
8 activities designed to educate teachers on this subject matter;  
9 and that will be responsible for the coordination of events on  
10 a regular basis, throughout the State, that provide appropriate  
11 memorialization of the events concerning the enslavement of  
12 Africans and their descendants in America and their struggle  
13 for freedom, liberty, and equality.

14 (b) Amistad Commission. The Amistad Commission is created  
15 within the Department ~~Agency~~. The Commission is named to honor  
16 the group of enslaved Africans transported in 1839 on a vessel  
17 named the Amistad who overthrew their captors and created an  
18 international incident that was eventually argued before the  
19 Supreme Court and that shed a growing light on the evils of the  
20 slave trade and galvanized a growing abolitionist movement  
21 towards demanding the end of slavery in the United States.

22 (c) Membership. The Commission shall consist of 15 members,  
23 including 3 ex officio members: the State Superintendent of  
24 Education or his or her designee, the Director of Commerce and  
25 Economic Opportunity or his or her designee, and the Director  
26 ~~of Historic Sites and Preservation~~ or his or her designee; and

1 12 public members. Public members shall be appointed as  
2 follows:

3 (i) 2 members appointed by the President of the Senate  
4 and one member appointed by the Minority Leader of the  
5 Senate;

6 (ii) 2 members appointed by the Speaker of the House of  
7 Representatives and one member appointed by the Minority  
8 Leader of the House of Representatives; and

9 (iii) 6 members, no more than 4 of whom shall be of the  
10 same political party, appointed by the Governor.

11 The public members shall be residents of this State, chosen  
12 with due regard to broad geographic representation and ethnic  
13 diversity, who have served actively in organizations that  
14 educate the public on the history of the African slave trade,  
15 the contributions of African-Americans to our society, and  
16 civil rights issues.

17 Each public member of the Commission shall serve for a term  
18 of 3 years, except that of the initial members so appointed:  
19 one member appointed by the President of the Senate, one member  
20 appointed by the Speaker of the House of Representatives, and 2  
21 members appointed by the Governor shall serve for terms of one  
22 year; the member appointed by the Minority Leader of the  
23 Senate, one member appointed by the Speaker of the House of  
24 Representatives, and 2 members appointed by the Governor shall  
25 serve for terms of 2 years; and one member appointed by the  
26 President of the Senate, the member appointed by the Minority

1 Leader of the House of Representatives, and 2 members appointed  
2 by the Governor shall serve for terms of 3 years. Public  
3 members shall be eligible for reappointment. They shall serve  
4 until their successors are appointed and qualified, and the  
5 term of the successor of any incumbent shall be calculated from  
6 the expiration of the term of that incumbent. A vacancy  
7 occurring other than by expiration of term shall be filled in  
8 the same manner as the original appointment, but for the  
9 unexpired term only.

10 (d) Election of chairperson; meetings. At its first meeting  
11 and annually thereafter, the Commission shall elect from among  
12 its members a chairperson and other officers it considers  
13 necessary or appropriate. After its first meeting, the  
14 Commission shall meet at least quarterly, or more frequently at  
15 the call of the chairperson or if requested by 9 or more  
16 members.

17 (e) Quorum. A majority of the members of the Commission  
18 constitute a quorum for the transaction of business at a  
19 meeting of the Commission. A majority of the members present  
20 and serving is required for official action of the Commission.

21 (f) Public meeting. All business that the Commission is  
22 authorized to perform shall be conducted at a public meeting of  
23 the Commission, held in compliance with the Open Meetings Act.

24 (g) Freedom of Information. A writing prepared, owned,  
25 used, in the possession of, or retained by the Commission in  
26 the performance of an official function is subject to the

1 Freedom of Information Act.

2 (h) Compensation. The members of the Commission shall serve  
3 without compensation, but shall be entitled to reimbursement  
4 for all necessary expenses incurred in the performance of their  
5 official duties as members of the Commission from funds  
6 appropriated for that purpose. Reimbursement for travel,  
7 meals, and lodging shall be in accordance with the rules of the  
8 Governor's Travel Control Board.

9 (i) Duties. The Commission shall have the following  
10 responsibilities and duties:

11 (1) To provide, based upon the collective interest of  
12 the members and the knowledge and experience of the  
13 members, assistance and advice to schools within the State  
14 with respect to the implementation of education, awareness  
15 programs, textbooks, and educational materials concerned  
16 with the African slave trade, slavery in America, the  
17 vestiges of slavery in this country, and the contributions  
18 of African-Americans to our society.

19 (2) To survey and catalog the extent and breadth of  
20 education concerning the African slave trade, slavery in  
21 America, the vestiges of slavery in this country, and the  
22 contributions of African-Americans to our society  
23 presently being incorporated into the curricula and  
24 textbooks and taught in the school systems of the State; to  
25 inventory those African slave trade, American slavery, or  
26 relevant African-American history memorials, exhibits, and

1 resources that should be incorporated into courses of study  
2 at educational institutions, schools, and various other  
3 locations throughout the State; and to assist the State  
4 Board of Education and other State and educational agencies  
5 in the development and implementation of African slave  
6 trade, American slavery, and African-American history  
7 education programs.

8 (3) To act as a liaison with textbook publishers,  
9 schools, public, private, and nonprofit resource  
10 organizations, and members of the United States Senate and  
11 House of Representatives and the Illinois Senate and House  
12 of Representatives in order to facilitate the inclusion of  
13 the history of African slavery and of African-Americans in  
14 this country in the curricula of public and nonpublic  
15 schools.

16 (4) To compile a roster of individual volunteers who  
17 are willing to share their knowledge and experience in  
18 classrooms, seminars, and workshops with students and  
19 teachers on the subject of the African slave trade,  
20 American slavery, the impact of slavery on our society  
21 today, and the contributions of African-Americans to our  
22 country.

23 (5) To coordinate events memorializing the African  
24 slave trade, American slavery, and the history of  
25 African-Americans in this country that reflect the  
26 contributions of African-Americans in overcoming the

1           burdens of slavery and its vestiges, and to seek volunteers  
2           who are willing and able to participate in commemorative  
3           events that will enhance student awareness of the  
4           significance of the African slave trade, American slavery,  
5           its historical impact, and the struggle for freedom.

6           (6) To prepare reports for the Governor and the General  
7           Assembly regarding its findings and recommendations on  
8           facilitating the inclusion of the African slave trade,  
9           American slavery studies, African-American history, and  
10          special programs in the educational system of the State.

11          (7) To develop, in consultation with the State Board of  
12          Education, curriculum guidelines that will be made  
13          available to every school board for the teaching of  
14          information on the African slave trade, slavery in America,  
15          the vestiges of slavery in this country, and the  
16          contributions of African-Americans to our country.

17          (8) To solicit, receive, and accept appropriations,  
18          gifts, and donations for Commission operations and  
19          programs authorized under this Section.

20          (j) Commission requests for assistance. The Commission is  
21          authorized to call upon any department, office, division, or  
22          agency of the State, or of any county, municipality, or school  
23          district of the State, to supply such data, program reports,  
24          and other information, appropriate school personnel, and  
25          assistance as it deems necessary to discharge its  
26          responsibilities under this Act. These departments, offices,

1 divisions, and agencies shall, to the extent possible and not  
2 inconsistent with any other law of this State, cooperate with  
3 the Commission and shall furnish it with such information,  
4 appropriate school personnel, and assistance as may be  
5 necessary or helpful to accomplish the purposes of this Act.

6 (k) State Board of Education assistance. The State Board of  
7 Education shall:

8 (1) Assist the Amistad Commission in marketing and  
9 distributing to educators, administrators, and school  
10 districts in the State educational information and other  
11 materials on the African slave trade, slavery in America,  
12 the vestiges of slavery in this country, and the  
13 contributions of African-Americans to our society.

14 (2) Conduct at least one teacher workshop annually on  
15 the African slave trade, slavery in America, the vestiges  
16 of slavery in this country, and the contributions of  
17 African-Americans to our society.

18 (3) Assist the Amistad Commission in monitoring the  
19 inclusion of slavery materials and curricula in the State's  
20 educational system.

21 (4) Consult with the Amistad Commission to determine  
22 ways it may survey, catalog, and extend slave trade and  
23 American slavery education presently being taught in the  
24 State's educational system.

25 The State Board of Education may, subject to the  
26 availability of appropriations, hire additional staff and



1 consultants to carry out the duties and responsibilities  
2 provided within this subsection (k).

3 (1) Report. The Commission shall report its activities and  
4 findings, as required under subsection (i), to the Governor and  
5 General Assembly on or before June 30, 2006, and biannually  
6 thereafter.

7 (Source: P.A. 94-285, eff. 7-21-05.)

8 (20 ILCS 3405/35)

9 Sec. 35. Products manufactured in the United States. State  
10 Historic Sites, State Memorials, and other properties that are  
11 under the jurisdiction of the Department ~~Historic Preservation~~  
12 ~~Agency~~ under Section 6 of this Act shall set aside a booth or  
13 section for the sale of products manufactured in the United  
14 States. As used in this Section, "products manufactured in the  
15 United States" means assembled articles, materials, or  
16 supplies for which design, final assembly, processing,  
17 packaging, testing, or other process that adds value, quality,  
18 or reliability occurred in the United States.

19 (Source: P.A. 98-1031, eff. 8-25-14.)

20 (20 ILCS 3405/3 rep.)

21 (20 ILCS 3405/4 rep.)

22 (20 ILCS 3405/5 rep.)

23 (20 ILCS 3405/34 rep.)

24 Section 30. The Historic Preservation Agency Act is amended

1 by repealing Sections 3, 4, 5, and 34.

2 Section 35. The Illinois Historic Preservation Act is  
3 amended by changing Sections 2, 3, 4, 5, and 15 as follows:

4 (20 ILCS 3410/2) (from Ch. 127, par. 133d2)

5 Sec. 2. As used in this Act:

6 (a) "Council" means the Illinois Historic Sites Advisory  
7 Council.

8 (b) (Blank).

9 (c) (Blank). ~~"Agency" means the Historic Preservation~~  
10 ~~Agency.~~

11 (c-5) "Department" means the Department of Natural  
12 Resources.

13 (d) "Director" means the Director of Natural Resources, or  
14 his or her designee, ~~Historic Preservation~~ who will serve as  
15 the State Historic Preservation Officer.

16 (d-1) "Historic resource" means any property which is  
17 either publicly or privately held and which:

18 (1) is listed in the National Register of Historic  
19 Places (hereafter "National Register");

20 (2) has been formally determined by the Director to be  
21 eligible for listing in the National Register as defined in  
22 Section 106 of Title 16 of the United States Code;

23 (3) has been nominated by the Director and the Illinois  
24 Historic Sites Advisory Council for listing in the National

1 Register; or

2 (4) meets one or more criteria for listing in the  
3 National Register, as determined by the Director.

4 (e) "Place" means (1) any parcel or contiguous grouping of  
5 parcels of real estate under common or related ownership or  
6 control, where any significant improvements are at least 40  
7 years old, or (2) any aboriginal mound, fort, earthwork,  
8 village, location, burial ground, historic or prehistoric  
9 ruin, mine case or other location which is or may be the source  
10 of important archeological data.

11 (f) (Blank).

12 (g) (Blank).

13 (h) (Blank).

14 (i) (Blank).

15 (Source: P.A. 97-785, eff. 7-13-12.)

16 (20 ILCS 3410/3) (from Ch. 127, par. 133d3)

17 Sec. 3. There is recognized and established hereunder the  
18 Illinois Historic Sites Advisory Council, previously  
19 established pursuant to Federal regulations, hereafter called  
20 the Council. The Council shall consist of 15 members. Of these,  
21 there shall be at least 3 historians, at least 3 architectural  
22 historians, or architects with a preservation background, and  
23 at least 3 archeologists. The remaining 6 members shall be  
24 drawn from supporting fields and have a preservation interest.  
25 Supporting fields shall include but not be limited to

1 historical geography, law, urban planning, local government  
2 officials, and members of other preservation commissions. All  
3 shall be appointed by the Director ~~of Historic Sites and~~  
4 ~~Preservation, with the consent of the Board.~~

5 The Council Chairperson shall be appointed by the Director  
6 ~~of Historic Sites and Preservation~~ from the Council membership  
7 and shall serve at the Director's pleasure.

8 The Executive Director of the Abraham Lincoln Presidential  
9 Library and Museum and the Director of the Illinois State  
10 Museum shall serve on the Council in advisory capacity as  
11 non-voting members.

12 Terms of membership shall be 3 years and shall be staggered  
13 by the Director to assure continuity of representation.

14 The Council shall meet at least 3 times each year.  
15 Additional meetings may be held at the call of the chairperson  
16 or at the call of the Director.

17 Members shall serve without compensation, but shall be  
18 reimbursed for actual expenses incurred in the performance of  
19 their duties.

20 (Source: P.A. 100-120, eff. 8-18-17.)

21 (20 ILCS 3410/4) (from Ch. 127, par. 133d4)

22 Sec. 4. In addition to those powers specifically granted or  
23 necessary to perform the duties prescribed by this Act, the  
24 Council shall have the following powers:

25 (a) to recommend nominations to the National Register

1 of Historic Places;  
2 (b) (blank);  
3 (c) to recommend removal of places from the National  
4 Register of Historic Places;  
5 (d) (blank);  
6 (e) (blank); and  
7 (f) to advise the Department ~~Agency~~ on matters  
8 pertaining to historic preservation.  
9 (Source: P.A. 97-785, eff. 7-13-12.)

10 (20 ILCS 3410/5) (from Ch. 127, par. 133d5)

11 Sec. 5. In addition to the powers otherwise specifically  
12 granted to the Department ~~Agency~~ by law, the Department ~~Agency~~  
13 shall have the following powers and responsibilities:

14 (a) to perform the administrative functions for the  
15 Council;

16 (b) to hold public hearings and meetings concerning the  
17 National Register of Historic Places;

18 (c) to prepare and periodically revise a statewide  
19 preservation plan;

20 (d) to attempt to maximize the extent to which the  
21 preservation of historic resources is accomplished through  
22 active use, including self-sustaining or revenue-producing  
23 use and through the involvement of persons other than the  
24 Department ~~Agency~~; and

25 (e) to disseminate information of historic resources,

1 to provide technical and other assistance to persons  
2 involved in preservation activities, to develop  
3 interpretive programs and otherwise stimulate public  
4 interest in preservation.

5 (Source: P.A. 97-785, eff. 7-13-12.)

6 (20 ILCS 3410/15) (from Ch. 127, par. 133d15)

7 Sec. 15. All monies received for historic preservation  
8 programs administered by the Department ~~Agency~~, including  
9 grants, direct and indirect cost reimbursements, income from  
10 marketing activities, gifts, donations and bequests, from  
11 private organizations, individuals, other State agencies or  
12 federal agencies, monies received from publications, and  
13 copying and certification fees related to such programs, and  
14 all income from fees generated from admissions, special events,  
15 parking, camping, concession and property rental, shall be  
16 deposited into a special fund in the State treasury, to be  
17 known as the Illinois Historic Sites Fund, which is hereby  
18 created. Subject to appropriation, the monies in such fund  
19 shall be used by the Department ~~Agency~~ for historic  
20 preservation purposes only.

21 The Illinois Historic Sites Fund is not subject to  
22 administrative charges or charge-backs, including but not  
23 limited to those authorized under Section 8h of the State  
24 Finance Act.

25 (Source: P.A. 96-1312, eff. 7-27-10.)

1 Section 40. The Historical Sites Listing Act is amended by  
2 changing Sections 1, 2, and 3 as follows:

3 (20 ILCS 3415/1) (from Ch. 128, par. 31)

4 Sec. 1. Any person or State or local governmental agency  
5 owning a site of general historical interest or having the  
6 written consent of the owner of such a site may apply to the  
7 Department of Natural Resources ~~Historic Preservation Agency~~  
8 to have that site listed and marked as a State historic site.

9 (Source: P.A. 92-600, eff. 7-1-02.)

10 (20 ILCS 3415/2) (from Ch. 128, par. 32)

11 Sec. 2. If the Department of Natural Resources ~~Historic~~  
12 ~~Preservation Agency~~ finds that a site described in an  
13 application under Section 1 is of sufficient general historical  
14 interest to warrant listing and marking, it shall list the site  
15 in a register kept for that purpose and shall display at the  
16 site a suitable marker indicating that the site is a registered  
17 State historic site.

18 (Source: P.A. 92-600, eff. 7-1-02.)

19 (20 ILCS 3415/3) (from Ch. 128, par. 33)

20 Sec. 3. The Department of Natural Resources ~~Historic~~  
21 ~~Preservation Agency~~, in cooperation with the Division of  
22 Highways of the Department of Transportation and any other

1 interested public or private agency, shall place and maintain  
2 all markers at State historic sites registered under this Act.  
3 (Source: P.A. 92-600, eff. 7-1-02.)

4 Section 45. The Illinois State Agency Historic Resources  
5 Preservation Act is amended by changing Sections 1, 3, 4, and 5  
6 as follows:

7 (20 ILCS 3420/1) (from Ch. 127, par. 133c21)

8 Sec. 1. Purposes. The purpose of this Act is to provide  
9 Illinois State government leadership in preserving, restoring,  
10 and maintaining the historic resources of the State. It is the  
11 purpose of this Act to establish a program whereby State  
12 agencies (1) administer the historic resources under their  
13 control to foster and enhance their availability to future  
14 generations, (2) prepare policies and plans to contribute to  
15 the preservation, restoration, and maintenance of State-owned  
16 historic resources for the inspiration and benefit of the  
17 people, and (3) in consultation with the Director of Natural  
18 Resources ~~Historic Preservation~~, institute procedures to  
19 ensure that State projects consider the preservation and  
20 enhancement of both State owned and non-State owned historic  
21 resources.

22 (Source: P.A. 86-707.)

23 (20 ILCS 3420/3) (from Ch. 127, par. 133c23)



1           Sec. 3. Definitions.

2           (a) "Director" means the Director of Natural Resources, or  
3 his or her designee, ~~Historic Preservation~~ who shall serve as  
4 the State Historic Preservation Officer.

5           (b) "Agency" shall have the same meaning as in Section 1-20  
6 of the Illinois Administrative Procedure Act, and shall  
7 specifically include all agencies and entities made subject to  
8 such Act by any State statute.

9           (c) "Historic resource" means any property which is either  
10 publicly or privately held and which:

11           (1) is listed in the National Register of Historic  
12 Places (hereafter "National Register");

13           (2) has been formally determined by the Director to be  
14 eligible for listing in the National Register as defined in  
15 Section 106 of Title 16 of the United States Code;

16           (3) has been nominated by the Director and the Illinois  
17 Historic Sites Advisory Council for listing in the National  
18 Register;

19           (4) meets one or more criteria for listing in the  
20 National Register, as determined by the Director; or

21           (5) (blank).

22           (d) "Adverse effect" means:

23           (1) destruction or alteration of all or part of an  
24 historic resource;

25           (2) isolation or alteration of the surrounding  
26 environment of an historic resource;

1           (3) introduction of visual, audible, or atmospheric  
2 elements which are out of character with an historic  
3 resource or which alter its setting;

4           (4) neglect or improper utilization of an historic  
5 resource which results in its deterioration or  
6 destruction; or

7           (5) transfer or sale of an historic resource to any  
8 public or private entity without the inclusion of adequate  
9 conditions or restrictions regarding preservation,  
10 maintenance, or use.

11           (e) "Comment" means the written finding by the Director of  
12 the effect of a State undertaking on an historic resource.

13           (f) "Undertaking" means any project, activity, or program  
14 that can result in changes in the character or use of historic  
15 property, if any historic property is located in the area of  
16 potential effects. The project, activity or program shall be  
17 under the direct or indirect jurisdiction of a State agency or  
18 licensed or assisted by a State agency. An undertaking  
19 includes, but is not limited to, action which is:

20           (1) directly undertaken by a State agency;

21           (2) supported in whole or in part through State  
22 contracts, grants, subsidies, loan guarantees, or any  
23 other form of direct or indirect funding assistance; or

24           (3) carried out pursuant to a State lease, permit,  
25 license, certificate, approval, or other form of  
26 entitlement or permission.

1 (g) "Committee" means the Historic Preservation Mediation  
2 Committee.

3 (h) "Feasible" means capable of being accomplished in a  
4 successful manner within a reasonable period of time, taking  
5 into account economic, environmental, social, and  
6 technological factors.

7 (i) "Private undertaking" means any undertaking that does  
8 not receive public funding or is not on public lands.

9 (j) "High probability area" means any occurrence of Cahokia  
10 Alluvium, Carmi Member of the Equality Formation, Grayslake  
11 Peat, Parkland Sand, Peyton Colluvium, the Batavia Member of  
12 the Henry Formation, or the Mackinaw Member, as mapped by  
13 Lineback et al. (1979) at a scale of 1-500,000 within permanent  
14 stream floodplains and including:

15 (1) 500 yards of the adjoining bluffline crest of the  
16 Fox, Illinois, Kankakee, Kaskaskia, Mississippi, Ohio,  
17 Rock and Wabash Rivers and 300 yards of the adjoining  
18 bluffline crest of all other rivers or

19 (2) a 500 yard wide area along the shore of Lake  
20 Michigan abutting the high water mark.

21 (Source: P.A. 97-785, eff. 7-13-12; 98-463, eff. 8-16-13.)

22 (20 ILCS 3420/4) (from Ch. 127, par. 133c24)

23 Sec. 4. State agency undertakings.

24 (a) As early in the planning process as may be practicable  
25 and prior to the approval of the final design or plan of any

1 undertaking by a State agency, or prior to the funding of any  
2 undertaking by a State agency, or prior to an action of  
3 approval or entitlement of any private undertaking by a State  
4 agency, written notice of the project shall be given to the  
5 Director either by the State agency or the recipients of its  
6 funds, permits or licenses. The State agency shall consult with  
7 the Director to determine the documentation requirements  
8 necessary for identification and treatment of historic  
9 resources. For the purposes of identification and evaluation of  
10 historic resources, the Director may require archaeological  
11 and historic investigations. Responsibility for notice and  
12 documentation may be delegated by the State agency to a local  
13 or private designee.

14 (b) Within 30 days after receipt of complete and correct  
15 documentation of a proposed undertaking, the Director shall  
16 review and comment to the agency on the likelihood that the  
17 undertaking will have an adverse effect on a historic resource.  
18 In the case of a private undertaking, the Director shall, not  
19 later than 30 days following the receipt of an application with  
20 complete documentation of the undertaking, either approve that  
21 application allowing the undertaking to proceed or tender to  
22 the applicant a written statement setting forth the reasons for  
23 the requirement of an archaeological investigation. If there is  
24 no action within 30 days after the filing of the application  
25 with the complete documentation of the undertaking, the  
26 applicant may deem the application approved and may proceed

1 with the undertaking. Thereafter, all requirements for  
2 archaeological investigations are waived under this Act.

3 (c) If the Director finds that an undertaking will  
4 adversely affect an historic resource or is inconsistent with  
5 agency policies, the State agency shall consult with the  
6 Director and shall discuss alternatives to the proposed  
7 undertaking which could eliminate, minimize, or mitigate its  
8 adverse effect. During the consultation process, the State  
9 agency shall explore all feasible and prudent plans which  
10 eliminate, minimize, or mitigate adverse effects on historic  
11 resources. Grantees, permittees, licensees, or other parties  
12 in interest and representatives of national, State, and local  
13 units of government and public and private organizations may  
14 participate in the consultation process. The process may  
15 involve on-site inspections and public informational meetings  
16 pursuant to regulations issued by the Department of Natural  
17 Resources ~~Historic Preservation Agency~~.

18 (d) The State agency and the Director may agree that there  
19 is a feasible and prudent alternative which eliminates,  
20 minimizes, or mitigates the adverse effect of the undertaking.  
21 Upon such agreement, or if the State agency and the Director  
22 agree that there are no feasible and prudent alternatives which  
23 eliminate, minimize, or mitigate the adverse effect, the  
24 Director shall prepare a Memorandum of Agreement describing the  
25 alternatives or stating the finding. The State agency may  
26 proceed with the undertaking once a Memorandum of Agreement has

1       been signed by both the State agency and the Director.

2           (e) After the consultation process, the Director and the  
3       State agency may fail to agree on the existence of a feasible  
4       and prudent alternative which would eliminate, minimize, or  
5       mitigate the adverse effect of the undertaking on the historic  
6       resource. If no agreement is reached, the agency shall call a  
7       public meeting in the county where the undertaking is proposed  
8       within 60 days. If, within 14 days following conclusion of the  
9       public meeting, the State agency and the Director fail to agree  
10      on a feasible and prudent alternative, the proposed  
11      undertaking, with supporting documentation, shall be submitted  
12      to the Historic Preservation Mediation Committee. The document  
13      shall be sufficient to identify each alternative considered by  
14      the Agency and the Director during the consultation process and  
15      the reason for its rejection.

16          (f) The Mediation Committee shall consist of the Director  
17      and 5 persons appointed by the Director for terms of 3 years  
18      each, each of whom shall be no lower in rank than a division  
19      chief and each of whom shall represent a different State  
20      agency. An agency that is a party to mediation shall be  
21      notified of all hearings and deliberations and shall have the  
22      right to participate in deliberations as a non-voting member of  
23      the Committee. Within 30 days after submission of the proposed  
24      undertaking, the Committee shall meet with the Director and the  
25      submitting agency to review each alternative considered by the  
26      State agency and the Director and to evaluate the existence of

1 a feasible and prudent alternative. In the event that the  
2 Director and the submitting agency continue to disagree, the  
3 Committee shall provide a statement of findings or comments  
4 setting forth an alternative to the proposed undertaking or  
5 stating the finding that there is no feasible or prudent  
6 alternative. The State agency shall consider the written  
7 comments of the Committee and shall respond in writing to the  
8 Committee before proceeding with the undertaking.

9 (g) When an undertaking is being reviewed pursuant to  
10 Section 106 of the National Historic Preservation Act of 1966,  
11 the procedures of this law shall not apply and any review or  
12 comment by the Director on such undertaking shall be within the  
13 framework or procedures of the federal law. This subsection  
14 shall not prevent the Department of Natural Resources ~~Illinois~~  
15 ~~Historic Preservation Agency~~ from entering into an agreement  
16 with the Advisory Council on Historic Preservation pursuant to  
17 Section 106 of the National Historic Preservation Act to  
18 substitute this Act and its procedures for procedures set forth  
19 in Council regulations found in 36 C.F.R. Part 800.7. A State  
20 undertaking that is necessary to prevent an immediate and  
21 imminent threat to life or property shall be exempt from the  
22 requirements of this Act. Where possible, the Director shall be  
23 consulted in the determination of the exemption. In all cases,  
24 the agency shall provide the Director with a statement of the  
25 reasons for the exemption and shall have an opportunity to  
26 comment on the exemption. The statement and the comments of the

1 Director shall be included in the annual report of the  
2 Department of Natural Resources ~~Historic Preservation Agency~~  
3 as a guide to future actions. The provisions of this Act do not  
4 apply to undertakings pursuant to the Illinois Oil and Gas Act,  
5 the Surface-Mined Land Conservation and Reclamation Act and the  
6 Surface Coal Mining Land Conservation and Reclamation Act.  
7 (Source: P.A. 96-1000, eff. 7-2-10; 97-785, eff. 7-13-12.)

8 (20 ILCS 3420/5) (from Ch. 127, par. 133c25)

9 Sec. 5. Responsibilities of the Department of Natural  
10 Resources ~~Historic Preservation Agency~~, Division of Historic  
11 Preservation Services.

12 (a) The Director shall include in the Department's ~~Agency's~~  
13 annual report an outline of State agency actions on which  
14 comment was requested or issued under this Act.

15 (b) The Director shall maintain a current list of all  
16 historic resources owned, operated, or leased by the State and  
17 appropriate maps indicating the location of all such resources.  
18 These maps shall be in a form available to the public and State  
19 agencies, except that the location of archaeological resources  
20 shall be excluded.

21 (c) The Director shall make rules and issue appropriate  
22 guidelines to implement this Act. These shall include, but not  
23 be limited to, regulations for holding on-site inspections,  
24 public information meetings and procedures for consultation,  
25 mediation, and resolutions by the Committee pursuant to



1 subsections (e) and (f) of Section 4.

2 (d) The Director shall (1) assist, to the fullest extent  
3 possible, the State agencies in their identification of  
4 properties for inclusion in an inventory of historic resources,  
5 including provision of criteria for evaluation; (2) provide  
6 information concerning professional methods and techniques for  
7 preserving, improving, restoring, and maintaining historic  
8 resources when requested by State agencies; and (3) help  
9 facilitate State agency compliance with this Act.

10 (e) The Director shall monitor the implementation of  
11 actions of each State agency which have an effect, either  
12 adverse or beneficial, on an historic resource.

13 (f) The Department of Natural Resources Agency shall manage  
14 and control the preservation, conservation, inventory, and  
15 analysis of fine and decorative arts, furnishings, and  
16 artifacts of the Illinois Executive Mansion in Springfield, the  
17 Governor's offices in the Capitol in Springfield and the James  
18 R. Thompson Center in Chicago, and the Hayes House in DuQuoin.  
19 The Department of Natural Resources Agency shall manage the  
20 preservation and conservation of the buildings and grounds of  
21 the Illinois Executive Mansion in Springfield. The Governor  
22 shall appoint a Curator of the Executive Mansion, with the  
23 advice and consent of the Senate, to assist the Department of  
24 Natural Resources Agency in carrying out the duties under this  
25 item (f). The person appointed Curator must have experience in  
26 historic preservation or as a curator. The Curator shall serve

1 at the pleasure of the Governor. The Governor shall determine  
2 the compensation of the Curator, which shall not be diminished  
3 during the term of appointment.

4 (Source: P.A. 92-842, eff. 8-22-02.)

5 Section 50. The Old State Capitol Act is amended by  
6 changing Sections 1, 2, and 3 as follows:

7 (20 ILCS 3430/1) (from Ch. 123, par. 52)

8 Sec. 1. As used in this Act:7

9 (a) "Old State Capitol Complex" means the Old State Capitol  
10 reconstructed under the "1961 Act" in Springfield ~~and includes~~  
11 ~~space also occupied by the Abraham Lincoln Presidential Library~~  
12 ~~and Museum~~ and an underground parking garage.7

13 (b) "1961 Act" means "An Act providing for the  
14 reconstruction and restoration of the old State Capitol at  
15 Springfield and providing for the custody thereof", approved  
16 August 24, 1961, as amended.7

17 (c) (Blank). ~~"Board of Trustees" means the Board of~~  
18 ~~Trustees of the Historic Preservation Agency.~~

19 (d) "Department" means the Department of Natural  
20 Resources.

21 (Source: P.A. 100-120, eff. 8-18-17; revised 9-28-17.)

22 (20 ILCS 3430/2) (from Ch. 123, par. 53)

23 Sec. 2. The Department ~~Board of Trustees~~ shall have

1 jurisdiction and custody of, and shall maintain and operate,  
2 the Old State Capitol Complex and shall succeed to all rights,  
3 powers, duties and liabilities of the Department of  
4 Conservation under the "1961 Act" or under any lease or  
5 contract relating to the Old State Capitol Complex to which the  
6 Department of Conservation is a party.

7 (Source: P.A. 77-135.)

8 (20 ILCS 3430/3) (from Ch. 123, par. 54)

9 Sec. 3. The Department ~~Board of Trustees~~ may establish  
10 rules and regulations for the use and operation of the Old  
11 State Capitol Complex. Such rules and regulations shall provide  
12 that such complex will be open at all reasonable hours to the  
13 public and may provide for the holding of such lectures,  
14 pageants or similar special events and the sale of such  
15 merchandise as will help interpret the historical significance  
16 of the Old State Capitol to the public.

17 (Source: P.A. 77-135.)

18 Section 55. The Archaeological and Paleontological  
19 Resources Protection Act is amended by changing Sections 1, 3,  
20 3.1, 3.2, 5, 6, 7, 8, 9, 10, and 11 as follows:

21 (20 ILCS 3435/1) (from Ch. 127, par. 133c1)

22 Sec. 1. The State of Illinois reserves to itself the  
23 exclusive right and privilege of regulating, exploring,

1 excavating or surveying, through the Department of Natural  
2 Resources ~~Historic Preservation Agency~~, all archaeological and  
3 paleontological resources found upon or within any public  
4 lands.

5 (Source: P.A. 86-459; 86-707.)

6 (20 ILCS 3435/3) (from Ch. 127, par. 133c3)

7 Sec. 3. (a) It is unlawful for any person, either by  
8 himself or through an agent, to explore, excavate or collect  
9 any of the archaeological or paleontological resources  
10 protected by this Act, unless such person obtains a permit  
11 issued by the Department of Natural Resources ~~Historic~~  
12 ~~Preservation Agency~~.

13 (b) It is unlawful for any person, either by himself or  
14 through an agent, to knowingly disturb any archaeological or  
15 paleontological resource protected under this Act.

16 (c) It is unlawful for any person, either by himself or  
17 through an agent, to offer any object for sale or exchange with  
18 the knowledge that it has been previously collected or  
19 excavated in violation of this Act.

20 (Source: P.A. 86-459; 86-707.)

21 (20 ILCS 3435/3.1) (from Ch. 127, par. 133c3.1)

22 Sec. 3.1. The State's Attorney of the county in which a  
23 violation of Section 3 is alleged to have occurred, or the  
24 Attorney General, may be requested by the Director of Natural

1 Resources ~~the Historic Preservation Agency~~ to initiate  
2 criminal prosecutions or to seek civil damages, injunctive  
3 relief and any other appropriate relief. The Department of  
4 Natural Resources ~~Historic Preservation Agency~~ shall cooperate  
5 with the State's Attorney or the Attorney General. Persons  
6 aware of any violation of this Act shall contact the Department  
7 of Natural Resources ~~Historic Preservation Agency~~.

8 (Source: P.A. 86-459; 86-707.)

9 (20 ILCS 3435/3.2) (from Ch. 127, par. 133c3.2)

10 Sec. 3.2. The Department of Natural Resources ~~Historic~~  
11 ~~Preservation Agency~~ is authorized to offer a reward of up to  
12 \$2,000 for information leading to the arrest and conviction of  
13 persons who violate Section 3.

14 (Source: P.A. 86-459; 86-707.)

15 (20 ILCS 3435/5) (from Ch. 127, par. 133c5)

16 Sec. 5. Any violation of Section 3 not involving the  
17 disturbance of human skeletal remains is a Class A misdemeanor  
18 and the violator shall be subject to imprisonment and a fine  
19 not in excess of \$5,000; any subsequent violation is a Class 4  
20 felony. Any violation of Section 3 involving disturbance of  
21 human skeletal remains is a Class 4 felony. Each disturbance of  
22 an archaeological site or a paleontological site shall  
23 constitute a single offense. Persons convicted of a violation  
24 of Section 3 shall also be liable for civil damages to be

1 assessed by the land managing agency and the Department of  
2 Natural Resources ~~Historic Preservation Agency~~. Civil damages  
3 may include:

4 (a) forfeiture of any and all equipment used in acquiring  
5 the protected material;

6 (b) any and all costs incurred in cleaning, restoring,  
7 analyzing, accessioning and curating the recovered materials;

8 (c) any and all costs associated with restoring the land to  
9 its original contour;

10 (d) any and all costs associated with recovery of data and  
11 analyzing, publishing, accessioning and curating materials  
12 when the prohibited activity is so extensive as to preclude the  
13 restoration of the archaeological or paleontological site;

14 (e) any and all costs associated with the determination and  
15 collection of the civil damages.

16 When civil damages are recovered through the Attorney  
17 General, the proceeds shall be deposited into the Historic  
18 Sites Fund; when civil damages are recovered through the  
19 State's Attorney, the proceeds shall be deposited into the  
20 county fund designated by the county board.

21 (Source: P.A. 86-459; 86-707.)

22 (20 ILCS 3435/6) (from Ch. 127, par. 133c6)

23 Sec. 6. (a) The Department of Natural Resources ~~Historic~~  
24 ~~Preservation Agency~~, in consultation with the various State  
25 agencies owning or managing land for the use of the State of

1 Illinois, shall develop regulations whereby permits may be  
2 issued for exploration or excavation of archaeological and  
3 paleontological resources. These permits shall be issued by the  
4 Department of Natural Resources ~~Historic Preservation Agency~~  
5 after consultation with the head of the land managing agency.

6 (b) Permits to any person or entity other than the State of  
7 Illinois shall be issued in accordance with regulations which  
8 shall be promulgated by the Department of Natural Resources  
9 ~~Historic Preservation Agency~~.

10 (c) Each permit shall specify all terms and conditions  
11 under which the investigation shall be carried out, including,  
12 but not limited to, location and nature of the investigation  
13 and plans for analysis and publication of the results. Upon  
14 completion of the project, the permit holder shall report its  
15 results to the Department of Natural Resources ~~Historic~~  
16 ~~Preservation Agency for approval~~.

17 (Source: P.A. 86-459; 86-707.)

18 (20 ILCS 3435/7) (from Ch. 127, par. 133c7)

19 Sec. 7. All materials and associated records remain the  
20 property of the State and are managed by the Illinois State  
21 Museum. The Illinois State Museum, in consultation with the  
22 Department of Natural Resources ~~Historic Preservation Agency~~,  
23 is authorized to establish long-term curation agreements with  
24 universities, museums and other organizations.

25 (Source: P.A. 86-459; 86-707.)

1 (20 ILCS 3435/8) (from Ch. 127, par. 133c8)

2 Sec. 8. (a) The Illinois State Museum shall be exempt from  
3 the permit requirements established by this Act for lands under  
4 its direct management but shall register that exploration with  
5 the Department of Natural Resources ~~Historic Preservation~~  
6 ~~Agency~~; such registration shall include the information  
7 required under subsection (c) of Section 6.

8 (b) Any agency or department of the State of Illinois which  
9 has on its staff a professional archaeologist or paleontologist  
10 who meets the minimum qualifications established in Section 9  
11 and which has in effect a memorandum of agreement with the  
12 Department of Natural Resources ~~Historic Preservation Agency~~  
13 for the protection, preservation and management of  
14 archaeological and paleontological resources shall be exempt  
15 from the permit requirements established by this Act.

16 (c) Activities reviewed by the Department of Natural  
17 Resources ~~Historic Preservation Agency~~ pursuant to Section 106  
18 of the National Historic Preservation Act (16 U.S.C. 470f)  
19 shall be exempt from these permitting requirements.

20 (d) Where a local government's activities are funded in  
21 whole or in part by a State agency and the funded activities  
22 are supervised or controlled by the State agency, the local  
23 government shall be exempt from the permit requirements  
24 established by this Act to the same extent that the State  
25 agency is exempt. The State agency shall be responsible for



1 undertaking or causing to be undertaken any steps necessary to  
2 comply with this Act for those local government actions so  
3 exempted.

4 (Source: P.A. 86-459; 86-707.)

5 (20 ILCS 3435/9) (from Ch. 127, par. 133c9)

6 Sec. 9. The Department of Natural Resources ~~Historic~~  
7 ~~Preservation Agency~~ shall, through rulemaking, establish  
8 minimum standards of education and experience for an  
9 archaeologist or paleontologist to qualify as a professional  
10 for the purpose of conducting activities for which a permit is  
11 required.

12 (Source: P.A. 86-459; 86-707.)

13 (20 ILCS 3435/10) (from Ch. 127, par. 133c10)

14 Sec. 10. The Illinois State Museum, in cooperation with the  
15 Department of Natural Resources ~~Historic Preservation Agency~~,  
16 shall develop and maintain files containing information on  
17 known archaeological and paleontological sites in the State,  
18 whether on State controlled or privately owned property. The  
19 Department of Natural Resources ~~Historic Preservation Agency~~  
20 shall ensure the safety of those sites by promulgating  
21 regulations limiting access to those files as necessary.

22 (Source: P.A. 86-459; 86-707.)

23 (20 ILCS 3435/11) (from Ch. 127, par. 133c11)

1           Sec. 11. The Department of Natural Resources ~~Historic~~  
2 ~~Preservation Agency~~, in consultation with other State agencies  
3 and Departments that own or control land, shall promulgate such  
4 regulations as may be necessary to carry out the purposes of  
5 this Act.

6           (Source: P.A. 86-459; 86-707.)

7           Section 60. The Human Skeletal Remains Protection Act is  
8 amended by changing Sections 3, 4, 5, 8, 9, 13, 14, 15, and 16  
9 as follows:

10           (20 ILCS 3440/3) (from Ch. 127, par. 2663)

11           Sec. 3. Any person who discovers human skeletal remains  
12 subject to this Act shall promptly notify the coroner. Any  
13 person who knowingly fails to report such a discovery within 48  
14 hours is guilty of a Class C misdemeanor, unless such person  
15 has reasonable cause to believe that the coroner had already  
16 been so notified. If the human skeletal remains appear to be  
17 from an unregistered grave, the coroner shall promptly notify  
18 the Department of Natural Resources ~~Historic Preservation~~  
19 ~~Agency~~ prior to their removal. Nothing in this Act shall be  
20 construed to apply to human skeletal remains subject to "An Act  
21 to revise the law in relation to coroners".

22           (Source: P.A. 86-151.)

23           (20 ILCS 3440/4) (from Ch. 127, par. 2664)

1           Sec. 4. It is unlawful for any person, either by himself or  
2 through an agent, to knowingly disturb human skeletal remains  
3 and grave artifacts in unregistered graves protected by this  
4 Act unless such person obtains a permit issued by the  
5 Department of Natural Resources ~~Historic Preservation Agency~~.

6           (Source: P.A. 86-151.)

7           (20 ILCS 3440/5) (from Ch. 127, par. 2665)

8           Sec. 5. It is unlawful for any person, either by himself or  
9 through an agent, to knowingly disturb a grave marker protected  
10 by this Act unless such person obtains a permit issued by the  
11 Department of Natural Resources ~~Historic Preservation Agency~~.

12           (Source: P.A. 86-151.)

13           (20 ILCS 3440/8) (from Ch. 127, par. 2668)

14           Sec. 8. The State's Attorney of the county in which a  
15 violation of Sections 4, 5, 6, or 7 of this Act is alleged to  
16 have occurred, or the Attorney General, may be requested by the  
17 Director of Natural Resources ~~the Historic Preservation Agency~~  
18 to initiate criminal prosecutions or to seek civil damages,  
19 injunctive relief and any other appropriate relief. The  
20 Department of Natural Resources ~~Historic Preservation Agency~~  
21 shall co-operate with the State's Attorney or the Attorney  
22 General. Persons aware of any violations of this Act shall  
23 contact the Department of Natural Resources ~~Historic~~  
24 ~~Preservation Agency~~.

1 (Source: P.A. 86-151.)

2 (20 ILCS 3440/9) (from Ch. 127, par. 2669)

3 Sec. 9. The Department of Natural Resources ~~Historic~~  
4 ~~Preservation Agency~~ is authorized to offer a reward of up to  
5 \$2000 for information leading to the arrest and conviction of  
6 persons who violate Sections 4, 5, 6, and 7 of this Act.

7 (Source: P.A. 86-151.)

8 (20 ILCS 3440/13) (from Ch. 127, par. 2673)

9 Sec. 13. (a) The Department of Natural Resources ~~Historic~~  
10 ~~Preservation Agency~~ shall develop regulations, in consultation  
11 with the Illinois State Museum, whereby permits may be issued  
12 for the removal of human skeletal remains and grave artifacts  
13 from unregistered graves or the removal of grave markers.

14 (b) Each permit shall specify all terms and conditions  
15 under which the removal of human skeletal remains, grave  
16 artifacts, or grave markers shall be carried out. All costs  
17 accrued in the removal of the aforementioned materials shall be  
18 borne by the permit applicant. Upon completion of the project,  
19 the permit holder shall submit a report of the results to the  
20 Department of Natural Resources ~~Historic Preservation Agency~~.

21 (Source: P.A. 86-151.)

22 (20 ILCS 3440/14) (from Ch. 127, par. 2674)

23 Sec. 14. All human skeletal remains and grave artifacts in

1 unregistered graves are held in trust for the people of  
2 Illinois by the State and are under the jurisdiction of the  
3 Department of Natural Resources ~~Historic Preservation Agency~~.  
4 All materials collected under this Act shall be maintained,  
5 with dignity and respect, for the people of the State under the  
6 care of the Illinois State Museum.

7 (Source: P.A. 86-151.)

8 (20 ILCS 3440/15) (from Ch. 127, par. 2675)

9 Sec. 15. The Department of Natural Resources ~~Historic~~  
10 ~~Preservation Agency~~ shall promulgate such regulations as may be  
11 necessary to carry out the purposes of this Act.

12 (Source: P.A. 86-151.)

13 (20 ILCS 3440/16) (from Ch. 127, par. 2676)

14 Sec. 16. Activities reviewed by the Department of Natural  
15 Resources ~~Historic Preservation Agency~~ pursuant to Section 106  
16 of the National Historic Preservation Act (16 U.S.C. 470f) and  
17 activities permitted pursuant to the Federal Surface Mining  
18 Control and Reclamation Act of 1977 (P.L. 95-87), or the rules  
19 and regulations promulgated thereunder or any law, rule or  
20 regulation adopted by the State of Illinois thereunder shall be  
21 exempt from these permitting requirements.

22 (Source: P.A. 86-151.)

23 Section 65. The Abraham Lincoln Presidential Library and

1 Museum Act is amended by changing Sections 30 and 60 as  
2 follows:

3 (20 ILCS 3475/30)

4 Sec. 30. Administration of the Agency. The Agency shall be  
5 under the supervision and direction of an Executive Director.  
6 The person serving on the effective date of this Act as Library  
7 Director, as defined in Section 33 of the Historic Preservation  
8 ~~Agency~~ Act, shall become the inaugural Executive Director on  
9 the effective date of this Act and shall serve as Executive  
10 Director until the expiration of his then-current term as  
11 Library Director. Thereafter, the Board shall appoint the  
12 Executive Director with the advice and consent of the Senate.  
13 The Executive Director shall serve at the pleasure of the Board  
14 for a term of 4 years. The Executive Director shall, subject to  
15 applicable provisions of law, execute and discharge the powers  
16 and duties of the Agency. The Executive Director shall have  
17 hiring power and shall appoint (a) a Library Facilities  
18 Operations Director; and (b) a Director of the Library. The  
19 Executive Director shall appoint those other employees of the  
20 Agency as he or she deems appropriate and shall fix the  
21 compensation of the Library Facilities Operations Director,  
22 the Director of the Library and other employees. The Executive  
23 Director may make provision to establish and collect admission  
24 and registration fees, operate a gift shop, and publish and  
25 sell educational and informational materials.

1 (Source: P.A. 100-120, eff. 8-18-17.)

2 (20 ILCS 3475/60)

3 Sec. 60. Separation from the Historic Preservation Agency.

4 On the effective date of this Act, all of the powers, duties,  
5 assets, liabilities, employees, contracts, property (real and  
6 personal), including any items formerly contained in the  
7 Illinois State Historical Library now presently held in the  
8 Abraham Lincoln Presidential Library and Museum, records,  
9 pending business, and unexpended appropriations of the  
10 Historic Preservation Agency related to the administration and  
11 enforcement of Sections 17, 32, and 33 of the Historic  
12 Preservation ~~Agency~~ Act are transferred to the Agency created  
13 under this Act. The status and rights of the transferred  
14 employees, and the rights of the State of Illinois and its  
15 agencies, under the Personnel Code and applicable collective  
16 bargaining agreements or under any pension, retirement, or  
17 annuity plan are not affected (except as provided in Sections  
18 14-110 and 18-127 of the Illinois Pension Code) by that  
19 transfer or by any other provision of this Act.

20 (Source: P.A. 100-120, eff. 8-18-17.)

21 Section 70. The Mississippi River Coordinating Council Act  
22 is amended by changing Sections 10 and 20 as follows:

23 (20 ILCS 4003/10)

1           Sec. 10. Mississippi River Coordinating Council.

2           (a) There is established the Mississippi River  
3 Coordinating Council (Council), consisting of 16 voting  
4 members to be appointed by the Governor. One member shall be  
5 the Lieutenant Governor who shall serve as a voting member and  
6 as chairperson of the Council. The agency members of the  
7 Council shall include the Directors, or their designees, of the  
8 following: the Department of Agriculture, the Department of  
9 Commerce and Economic Opportunity, the Illinois Environmental  
10 Protection Agency, the Department of Natural Resources, ~~the~~  
11 ~~Historic Preservation Agency,~~ and the Department of  
12 Transportation. In addition, the Council shall include one  
13 member representing Soil and Water Conservation Districts  
14 located in the proximity of the Mississippi River and its  
15 tributaries, and 8 members representing local communities,  
16 not-for-profit organizations working to protect the  
17 Mississippi River and its tributaries, businesses,  
18 agriculture, recreation, conservation, and the environment, 2  
19 of which must reside within a county that is adjacent to the  
20 Mississippi River.

21           (b) The Governor may appoint, as ex-officio members,  
22 individuals representing the interests of the states who border  
23 the Mississippi River and individuals representing federal  
24 agencies.

25           (c) Members of the Council shall serve 2-year terms, except  
26 that of the initial appointments, 5 members shall be appointed



1 to serve 3-year terms and 4 members to serve one-year terms.

2 (d) The Council shall meet at least quarterly.

3 (e) The Office of the Lieutenant Governor shall be  
4 responsible for the operations of the Council, including,  
5 without limitation, funding and oversight of the Council's  
6 activities. The Office may reimburse members of the Council for  
7 travel expenses.

8 (f) This Section is subject to the provisions of Section  
9 405-500 of the Department of Central Management Services Law.

10 (g) The members of the Council shall appoint one member of  
11 the Council to serve as the Illinois representative to the  
12 National Mississippi River Parkway Commission.

13 (Source: P.A. 97-178, eff. 7-22-11.)

14 (20 ILCS 4003/20)

15 Sec. 20. Agency duties. State agencies represented on the  
16 Council shall provide to the Council, on request, information  
17 concerning agency programs, data, and activities that impact  
18 the restoration and preservation of the Mississippi River and  
19 its tributaries. The Secretary of Transportation, the Director  
20 of Agriculture, the Director of the Environmental Protection  
21 Agency, ~~the Director of Historic Preservation,~~ the Director of  
22 Natural Resources, and the Director of Commerce and Economic  
23 Opportunity shall each designate at least one employee from his  
24 or her respective agency to assist the Council.

25 (Source: P.A. 97-178, eff. 7-22-11.)

1           Section 75. The Task Force on Inventorying Employment  
2           Restrictions Act is amended by changing Section 10 as follows:

3           (20 ILCS 5000/10)

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

5           "State agencies" shall mean the following State agencies,  
6           boards, and commissions: Department on Aging, Department of  
7           Agriculture, Office of Appellate Defender, Office of the  
8           State's Attorneys Appellate Prosecutor, Illinois Arts Council,  
9           Office of the Attorney General, Auditor General, Capital  
10          Development Board, Department of Central Management Services,  
11          Department of Children and Family Services, Civil Service  
12          Commission, Illinois Department of Commerce and Economic  
13          Opportunity, Illinois Commerce Commission, Illinois Community  
14          College Board, State of Illinois Comprehensive Health  
15          Insurance Plan, Office of the Comptroller, Department of  
16          Corrections, Criminal Justice Information Authority, Illinois  
17          Council on Developmental Disabilities, Illinois Deaf and Hard  
18          of Hearing Commission, Commission on Discrimination and Hate  
19          Crimes, State Board of Education, Illinois Educational Labor  
20          Relations Board, State Board of Elections, Illinois Emergency  
21          Management Agency, Department of Employment Security,  
22          Environmental Protection Agency, Illinois State Fair, Illinois  
23          Finance Authority, Department of Financial and Professional  
24          Regulation, Office of the First Lady, Illinois Gaming Board,

1 Office of the Governor, Guardianship and Advocacy Commission,  
2 Department of Healthcare and Family Services, Board of Higher  
3 Education, ~~Historic Preservation Agency~~, Illinois Housing  
4 Development Authority, Illinois Human Rights Commission,  
5 Department of Human Rights, Department of Human Services,  
6 Illinois State Board of Investment, Department of Juvenile  
7 Justice, Office of the Lieutenant Governor, Department of  
8 Labor, Illinois Labor Relations Board, Illinois Law  
9 Enforcement Training Standards Board, Illinois Liquor Control  
10 Commission, Illinois Lottery, Governor's Office of Management  
11 and Budget, Illinois Medical District Commission, Department  
12 of Military Affairs, Department of Natural Resources,  
13 Pollution Control Board, Prairie State 2000 Authority,  
14 Property Tax Appeal Board, Department of Public Health,  
15 Illinois Prisoner Review Board, Illinois Racing Board,  
16 Department of Revenue, Office of the Secretary of State, State  
17 Fire Marshal, Illinois State Police, State Police Merit Board,  
18 State Retirement Systems, Office of the State Treasurer, State  
19 Universities Civil Service System, State Universities  
20 Retirement System, Illinois Student Assistance Commission,  
21 Illinois Supreme Court, Illinois Teachers' Retirement System,  
22 Illinois State Toll Highway Authority, Department of  
23 Transportation, Department of Veterans' Affairs, Governor's  
24 Office of Women's Affairs, and Illinois Workers' Compensation  
25 Commission.

26 (Source: P.A. 100-143, eff. 1-1-18.)

1 Section 80. The Heritage Preservation Act is amended by  
2 changing Section 3 as follows:

3 (30 ILCS 145/3) (from Ch. 127, par. 2653)

4 Sec. 3. (a) There is created the Heritage Preservation  
5 Fund, a special fund in the State Treasury.

6 (b) The Department of Natural Resources ~~Historic~~  
7 ~~Preservation Agency~~ shall deposit any donations received for  
8 heritage preservation purposes in the Heritage Preservation  
9 Fund.

10 (c) The General Assembly may appropriate monies from the  
11 Heritage Preservation Fund to the Department of Natural  
12 Resources ~~Historic Preservation Agency~~ for the purposes of  
13 identifying, purchasing, restoring, preserving, protecting,  
14 collecting and interpreting the cultural and historical  
15 resources and heritage of the State and its people.

16 (Source: P.A. 86-678.)

17 Section 85. The Public Use Trust Act is amended by changing  
18 Section 2 as follows:

19 (30 ILCS 160/2) (from Ch. 127, par. 4002)

20 Sec. 2. (a) The Department of Agriculture and ~~the~~  
21 Department of Natural Resources, ~~and the Historic Preservation~~  
22 ~~Agency~~ have the power to enter into a trust agreement with a

1 person or group of persons under which the State agency may  
2 receive or collect money or other property from the person or  
3 group of persons and may expend such money or property solely  
4 for a public purpose within the powers and duties of that State  
5 agency and stated in the trust agreement. The State agency  
6 shall be the trustee under any such trust agreement.

7 (b) Money or property received under a trust agreement  
8 shall not be deposited in the State treasury and is not subject  
9 to appropriation by the General Assembly, but shall be held and  
10 invested by the trustee separate and apart from the State  
11 treasury. The trustee shall invest money or property received  
12 under a trust agreement as provided for trustees under the  
13 Trusts and Trustees Act or as otherwise provided in the trust  
14 agreement.

15 (c) The trustee shall maintain detailed records of all  
16 receipts and disbursements in the same manner as required for  
17 trustees under the Trusts and Trustees Act. The trustee shall  
18 provide an annual accounting of all receipts, disbursements,  
19 and inventory to all donors to the trust and the Auditor  
20 General. The annual accounting shall be made available to any  
21 member of the public upon request.

22 (Source: P.A. 89-445, eff. 2-7-96.)

23 Section 90. The Build Illinois Act is amended by changing  
24 Section 1-3 as follows:

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

2 Sec. 1-3. The following agencies, boards and entities of  
3 State government may expend appropriations for the purposes  
4 contained in this Act: Department of Natural Resources;  
5 Department of Agriculture; Illinois Finance Authority; Capital  
6 Development Board; Department of Transportation; Department of  
7 Central Management Services; Illinois Arts Council;  
8 Environmental Protection Agency; ~~Historic Preservation Agency;~~  
9 State Board of Higher Education; the Metropolitan Pier and  
10 Exposition Authority; State Board of Education; Illinois  
11 Community College Board; Board of Trustees of the University of  
12 Illinois; Board of Trustees of Chicago State University; Board  
13 of Trustees of Eastern Illinois University; Board of Trustees  
14 of Governors State University; Board of Trustees of Illinois  
15 State University; Board of Trustees of Northeastern Illinois  
16 University; Board of Trustees of Northern Illinois University;  
17 Board of Trustees of Western Illinois University; and Board of  
18 Trustees of Southern Illinois University.

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

20 Section 95. The Illinois Income Tax Act is amended by  
21 changing Section 221 as follows:

22 (35 ILCS 5/221)

23 Sec. 221. Rehabilitation costs; qualified historic  
24 properties; River Edge Redevelopment Zone.

1 (a) For taxable years beginning on or after January 1, 2012  
2 and ending prior to January 1, 2022, there shall be allowed a  
3 tax credit against the tax imposed by subsections (a) and (b)  
4 of Section 201 in an amount equal to 25% of qualified  
5 expenditures incurred by a qualified taxpayer during the  
6 taxable year in the restoration and preservation of a qualified  
7 historic structure located in a River Edge Redevelopment Zone  
8 pursuant to a qualified rehabilitation plan, provided that the  
9 total amount of such expenditures (i) must equal \$5,000 or more  
10 and (ii) must exceed 50% of the purchase price of the property.

11 (b) To obtain a tax credit pursuant to this Section, the  
12 taxpayer must apply with the Department of Commerce and  
13 Economic Opportunity. The Department of Commerce and Economic  
14 Opportunity, in consultation with the Department of Natural  
15 Resources ~~Historic Preservation Agency~~, shall determine the  
16 amount of eligible rehabilitation costs and expenses. The  
17 Department of Natural Resources ~~Historic Preservation Agency~~  
18 shall determine whether the rehabilitation is consistent with  
19 the standards of the Secretary of the United States Department  
20 of the Interior for rehabilitation. Upon completion and review  
21 of the project, the Department of Commerce and Economic  
22 Opportunity shall issue a certificate in the amount of the  
23 eligible credits. At the time the certificate is issued, an  
24 issuance fee up to the maximum amount of 2% of the amount of  
25 the credits issued by the certificate may be collected from the  
26 applicant to administer the provisions of this Section. If

1 collected, this issuance fee shall be deposited into the  
2 Historic Property Administrative Fund, a special fund created  
3 in the State treasury. Subject to appropriation, moneys in the  
4 Historic Property Administrative Fund shall be evenly divided  
5 between the Department of Commerce and Economic Opportunity and  
6 the Department of Natural Resources ~~Historic Preservation~~  
7 ~~Agency~~ to reimburse the Department of Commerce and Economic  
8 Opportunity and the Department of Natural Resources ~~Historic~~  
9 ~~Preservation Agency~~ for the costs associated with  
10 administering this Section. The taxpayer must attach the  
11 certificate to the tax return on which the credits are to be  
12 claimed. The Department of Commerce and Economic Opportunity  
13 may adopt rules to implement this Section.

14 (c) The tax credit under this Section may not reduce the  
15 taxpayer's liability to less than zero.

16 (d) As used in this Section, the following terms have the  
17 following meanings.

18 "Qualified expenditure" means all the costs and expenses  
19 defined as qualified rehabilitation expenditures under Section  
20 47 of the federal Internal Revenue Code that were incurred in  
21 connection with a qualified historic structure.

22 "Qualified historic structure" means a certified historic  
23 structure as defined under Section 47(c)(3) of the federal  
24 Internal Revenue Code.

25 "Qualified rehabilitation plan" means a project that is  
26 approved by the Department of Natural Resources ~~Historic~~



1 ~~Preservation Agency~~ as being consistent with the standards in  
2 effect on the effective date of this amendatory Act of the 97th  
3 General Assembly for rehabilitation as adopted by the federal  
4 Secretary of the Interior.

5 "Qualified taxpayer" means the owner of the qualified  
6 historic structure or any other person who qualifies for the  
7 federal rehabilitation credit allowed by Section 47 of the  
8 federal Internal Revenue Code with respect to that qualified  
9 historic structure. Partners, shareholders of subchapter S  
10 corporations, and owners of limited liability companies (if the  
11 limited liability company is treated as a partnership for  
12 purposes of federal and State income taxation) are entitled to  
13 a credit under this Section to be determined in accordance with  
14 the determination of income and distributive share of income  
15 under Sections 702 and 703 and subchapter S of the Internal  
16 Revenue Code, provided that credits granted to a partnership, a  
17 limited liability company taxed as a partnership, or other  
18 multiple owners of property shall be passed through to the  
19 partners, members, or owners respectively on a pro rata basis  
20 or pursuant to an executed agreement among the partners,  
21 members, or owners documenting any alternate distribution  
22 method.

23 (Source: P.A. 99-914, eff. 12-20-16; 100-236, eff. 8-18-17.)

24 Section 100. The Historic Preservation Tax Credit Pilot  
25 Program Act is amended by changing Sections 5, 15, and 30 as

1 follows:

2 (35 ILCS 30/5)

3 Sec. 5. Definitions. As used in this Section, unless the  
4 context clearly indicates otherwise:

5 (a) (Blank). ~~"Agency" means the Historic Preservation~~  
6 ~~Agency.~~

7 (b) "Department" means the Department of Commerce and  
8 Economic Opportunity.

9 (c) "Qualified expenditures" means all the costs and  
10 expenses defined as qualified rehabilitation expenditures  
11 under Section 47 of the federal Internal Revenue Code which  
12 were incurred in connection with a qualified historic  
13 structure.

14 (d) "Qualified historic structure" means a hotel that is  
15 located in the City of Peoria and that is defined as a  
16 certified historic structure under Section 47 (c)(3) of the  
17 federal Internal Revenue Code.

18 (e) "Qualified rehabilitation plan" means a project that is  
19 approved by the Department of Natural Resources Agency as being  
20 consistent with the standards in effect on the effective date  
21 of this Act for rehabilitation as adopted by the federal  
22 Secretary of the Interior.

23 (f) "Qualified taxpayer" means the owner of the qualified  
24 historic structure or any other person who may qualify for the  
25 federal rehabilitation credit allowed by Section 47 of the

1 federal Internal Revenue Code. If the taxpayer is (i) a  
2 corporation having an election in effect under Subchapter S of  
3 the federal Internal Revenue Code, (ii) a partnership, or (iii)  
4 a limited liability company, the credit provided under this Act  
5 may be claimed by the shareholders of the corporation, the  
6 partners of the partnership, or the members of the limited  
7 liability company in the same manner as those shareholders,  
8 partners, or members account for their proportionate shares of  
9 the income or losses of the corporation, partnership, or  
10 limited liability company, or as provided in the by-laws or  
11 other executed agreement of the corporation, partnership, or  
12 limited liability company. Credits granted to a partnership, a  
13 limited liability company taxed as a partnership, or other  
14 multiple owners of property shall be passed through to the  
15 partners, members, or owners respectively on a pro rata basis  
16 or pursuant to an executed agreement among the partners,  
17 members, or owners documenting any alternate distribution  
18 method.

19 (Source: P.A. 96-933, eff. 6-21-10.)

20 (35 ILCS 30/15)

21 Sec. 15. Allowable credit. To the extent authorized by  
22 Section 25 of this Act, for taxable years beginning on or after  
23 January 1, 2010 and ending on or before December 31, 2015,  
24 there shall be allowed a tax credit against the tax imposed by  
25 subsections (a) and (b) of Section 201 of the Illinois Income

1 Tax Act in an amount equal to 25% of qualified expenditures  
2 incurred by a qualified taxpayer during the taxable year in the  
3 restoration and preservation of a qualified historic structure  
4 pursuant to a qualified rehabilitation plan, provided that the  
5 total amount of such expenditures (i) must equal \$5,000 or  
6 more, and (ii) must exceed 50% of the purchase price of the  
7 property. If the amount of any tax credit awarded under this  
8 Act exceeds the qualified taxpayer's income tax liability for  
9 the year in which the qualified rehabilitation plan was placed  
10 in service, the excess amount may be carried forward for  
11 deduction from the taxpayer's income tax liability in the next  
12 succeeding year or years until the total amount of the credit  
13 has been used, except that a credit may not be carried forward  
14 for deduction after the tenth taxable year after the taxable  
15 year in which the qualified rehabilitation plan was placed in  
16 service. To obtain a tax credit pursuant to this Act, an  
17 application must be made to the Department no later than 6  
18 months after the effective date of this Act. The Department, in  
19 consultation with the Department of Natural Resources Agency,  
20 shall determine the amount of eligible rehabilitation costs and  
21 expenses. The Department of Natural Resources Agency shall  
22 determine whether the rehabilitation is consistent with the  
23 standards of the Secretary of the United States Department of  
24 the Interior for rehabilitation. Upon completion and review of  
25 the project, the Department shall issue a certificate in the  
26 amount of the eligible credits. At the time the certificate is

1 issued, an issuance fee up to the maximum amount of 2% of the  
2 amount of the credits issued by the certificate may be  
3 collected from the applicant to administer the Act. If  
4 collected, this issuance fee shall be evenly divided between  
5 the Department and the Department of Natural Resources ~~Agency~~.  
6 The taxpayer must attach the certificate to the tax return on  
7 which the credits are to be claimed.

8 (Source: P.A. 96-933, eff. 6-21-10.)

9 (35 ILCS 30/30)

10 Sec. 30. Powers. The Department and the Department of  
11 Natural Resources ~~Agency~~ shall promulgate rules and  
12 regulations for the administration of this Act.

13 (Source: P.A. 96-933, eff. 6-21-10.)

14 Section 105. The Counties Code is amended by changing  
15 Sections 5-31012 and 5-31017 as follows:

16 (55 ILCS 5/5-31012) (from Ch. 34, par. 5-31012)

17 Sec. 5-31012. Powers of district. To the extent necessary  
18 to carry out the purpose of this Division and in addition to  
19 any other powers, duties and functions vested in museum  
20 districts by law, but subject to limitations and restrictions  
21 imposed elsewhere by this Division or other law, a museum  
22 district is authorized and empowered:

23 (a) To adopt bylaws, adopt and use a common seal, enter

1 into contracts, acquire and hold real and personal property and  
2 take such other actions as may be necessary for the proper  
3 conduct of its affairs.

4 (b) To make and publish all ordinances, rules and  
5 regulations necessary for the management and protection of its  
6 property and the conduct of its affairs.

7 (c) To study and ascertain the museum district artifacts  
8 and other materials, the need for preserving such resources and  
9 providing such facilities and the extent to which such needs  
10 are currently being met, and to prepare and adopt coordinated  
11 plans to meet such needs.

12 (d) To acquire by gift, devise, purchase, lease, agreement  
13 or otherwise the fee or any lessor right or interest in real  
14 and personal property, and to hold the same with public access  
15 for those who wish to examine or study it. The museum district  
16 may accept the transfer of any real or personal property owned  
17 or controlled by the State of Illinois, the county board, or  
18 the governing body of any municipality, district or public  
19 corporation and not devoted or dedicated to any other  
20 inconsistent public use. In acquiring or accepting land or  
21 rights thereto, the museum district shall give due  
22 consideration to its historical value or county significance,  
23 and no real property shall be acquired or accepted which in the  
24 opinion of the museum district and the Illinois State Museum is  
25 of low value as to its proposed use.

26 (e) To acquire any or all interest in real or personal

1 property by a contract for purchase providing for payment in  
2 installments over a period not to exceed 10 years with interest  
3 on the unpaid balance owing not to exceed an amount calculated  
4 pursuant to the provisions of "An Act to authorize public  
5 corporations to issue bonds, other evidences of indebtedness  
6 and tax anticipation warrants subject to interest rate  
7 limitations set forth therein", approved May 26, 1970, as  
8 amended. The indebtedness incurred under this subsection when  
9 aggregated with existing indebtedness may not exceed the debt  
10 limits provided in Section 5-31016.

11 (f) To classify, designate, plan, develop, preserve,  
12 administer and maintain all areas and facilities in which it  
13 has an interest and to construct, reconstruct, alter, renew,  
14 equip and maintain buildings and other structures. Any work  
15 performed on any building, appurtenance, structure or area  
16 listed on the National Register of Historic Places or deemed  
17 eligible for such listing shall be performed within such  
18 guidelines as are established by the Department of Natural  
19 Resources ~~Illinois Historic Preservation Agency~~.

20 (g) To accept gifts, grants, bequests, contributions and  
21 appropriations of money and personal property for museum  
22 district purposes.

23 (h) To employ and fix the compensation of an executive  
24 officer who shall be responsible to the board for the  
25 implementation of its policies. The executive officer shall  
26 have the power, subject to the approval of the board, to employ

1 and fix the compensation of such assistants and employees as  
2 the board may consider necessary for the implementation of this  
3 Division.

4 (i) To charge and collect reasonable fees for the use of  
5 such facilities, privileges and conveniences as may be  
6 provided.

7 (j) To police its property and to exercise police powers in  
8 respect thereto or in respect to the enforcement of any rule or  
9 regulation provided by its ordinances.

10 (k) To lease land for a period not longer than 50 years to  
11 a responsible person, firm, or corporation for construction,  
12 reconstruction, alteration, development, operation and  
13 maintenance of buildings, roads, and parking areas. Any work  
14 performed on any leased building, structure, appurtenances or  
15 area which is listed on the National Register of Historic  
16 Places or deemed eligible for such listing shall be performed  
17 within such guidelines as are established by the Department of  
18 Natural Resources ~~Illinois Historic Preservation Agency~~. Upon  
19 expiration of any lease of land under this subsection, title to  
20 all structures on the leased land shall be vested in the museum  
21 district.

22 (l) To lease any building or facility constructed,  
23 reconstructed, altered, renewed, equipped, furnished,  
24 extended, developed, and maintained by the museum district to a  
25 responsible person, firm or corporation for operation or  
26 development or both, and maintenance for a period not longer



1 than 20 years. Development, maintenance or both of any  
2 building, structures, appurtenances or area which is listed on  
3 the National Register of Historic Places or deemed eligible for  
4 such listing shall be performed within such guidelines as are  
5 established by the Department of Natural Resources ~~Illinois~~  
6 ~~Historic Preservation Agency~~.

7 (m) To make grants to not-for-profit historical clubs,  
8 organizations or groups within the county.

9 (Source: P.A. 86-962.)

10 (55 ILCS 5/5-31017) (from Ch. 34, par. 5-31017)

11 Sec. 5-31017. Historical buildings. Nothing in this  
12 Division shall prohibit the museum district from appropriating  
13 funds as otherwise provided in this Division for the  
14 construction, equipment, extension, improvement, operation or  
15 maintenance of any historical building, monument or marker.  
16 Provided, however, that any work performed on any historical  
17 building, monument or marker listed on the National Register of  
18 Historic Places or deemed eligible for such listing shall be  
19 conducted within such guidelines as are established by the  
20 Department of Natural Resources ~~Illinois Historic Preservation~~  
21 ~~Agency~~.

22 (Source: P.A. 86-962.)

23 Section 110. The Historical Document Preservation Act is  
24 amended by changing Section 2 as follows:

1 (55 ILCS 120/2) (from Ch. 128, par. 19)

2 Sec. 2. The officer having the custody of such papers,  
3 drawings, maps, writings and records shall permit search to be  
4 made at all reasonable hours and under his supervision for such  
5 as may be deemed of historic interest. Whenever so directed by  
6 the county board in the manner prescribed in the foregoing  
7 section such officer shall deliver the same to the trustee,  
8 directors or librarian or other officer of the Department of  
9 Natural Resources ~~Historic Preservation Agency~~ or society  
10 designated by such county board.

11 (Source: P.A. 92-600, eff. 7-1-02.)

12 Section 115. The Liquor Control Act of 1934 is amended by  
13 changing Section 6-15 as follows:

14 (235 ILCS 5/6-15) (from Ch. 43, par. 130)

15 Sec. 6-15. No alcoholic liquors shall be sold or delivered  
16 in any building belonging to or under the control of the State  
17 or any political subdivision thereof except as provided in this  
18 Act. The corporate authorities of any city, village,  
19 incorporated town, township, or county may provide by  
20 ordinance, however, that alcoholic liquor may be sold or  
21 delivered in any specifically designated building belonging to  
22 or under the control of the municipality, township, or county,  
23 or in any building located on land under the control of the

1 municipality, township, or county; provided that such township  
2 or county complies with all applicable local ordinances in any  
3 incorporated area of the township or county. Alcoholic liquor  
4 may be delivered to and sold under the authority of a special  
5 use permit on any property owned by a conservation district  
6 organized under the Conservation District Act, provided that  
7 (i) the alcoholic liquor is sold only at an event authorized by  
8 the governing board of the conservation district, (ii) the  
9 issuance of the special use permit is authorized by the local  
10 liquor control commissioner of the territory in which the  
11 property is located, and (iii) the special use permit  
12 authorizes the sale of alcoholic liquor for one day or less.  
13 Alcoholic liquors may be delivered to and sold at any airport  
14 belonging to or under the control of a municipality of more  
15 than 25,000 inhabitants, or in any building or on any golf  
16 course owned by a park district organized under the Park  
17 District Code, subject to the approval of the governing board  
18 of the district, or in any building or on any golf course owned  
19 by a forest preserve district organized under the Downstate  
20 Forest Preserve District Act, subject to the approval of the  
21 governing board of the district, or on the grounds within 500  
22 feet of any building owned by a forest preserve district  
23 organized under the Downstate Forest Preserve District Act  
24 during times when food is dispensed for consumption within 500  
25 feet of the building from which the food is dispensed, subject  
26 to the approval of the governing board of the district, or in a

1 building owned by a Local Mass Transit District organized under  
2 the Local Mass Transit District Act, subject to the approval of  
3 the governing Board of the District, or in Bicentennial Park,  
4 or on the premises of the City of Mendota Lake Park located  
5 adjacent to Route 51 in Mendota, Illinois, or on the premises  
6 of Camden Park in Milan, Illinois, or in the community center  
7 owned by the City of Loves Park that is located at 1000 River  
8 Park Drive in Loves Park, Illinois, or, in connection with the  
9 operation of an established food serving facility during times  
10 when food is dispensed for consumption on the premises, and at  
11 the following aquarium and museums located in public parks: Art  
12 Institute of Chicago, Chicago Academy of Sciences, Chicago  
13 Historical Society, Field Museum of Natural History, Museum of  
14 Science and Industry, DuSable Museum of African American  
15 History, John G. Shedd Aquarium and Adler Planetarium, or at  
16 Lakeview Museum of Arts and Sciences in Peoria, or in  
17 connection with the operation of the facilities of the Chicago  
18 Zoological Society or the Chicago Horticultural Society on land  
19 owned by the Forest Preserve District of Cook County, or on any  
20 land used for a golf course or for recreational purposes owned  
21 by the Forest Preserve District of Cook County, subject to the  
22 control of the Forest Preserve District Board of Commissioners  
23 and applicable local law, provided that dram shop liability  
24 insurance is provided at maximum coverage limits so as to hold  
25 the District harmless from all financial loss, damage, and  
26 harm, or in any building located on land owned by the Chicago

1 Park District if approved by the Park District Commissioners,  
2 or on any land used for a golf course or for recreational  
3 purposes and owned by the Illinois International Port District  
4 if approved by the District's governing board, or at any  
5 airport, golf course, faculty center, or facility in which  
6 conference and convention type activities take place belonging  
7 to or under control of any State university or public community  
8 college district, provided that with respect to a facility for  
9 conference and convention type activities alcoholic liquors  
10 shall be limited to the use of the convention or conference  
11 participants or participants in cultural, political or  
12 educational activities held in such facilities, and provided  
13 further that the faculty or staff of the State university or a  
14 public community college district, or members of an  
15 organization of students, alumni, faculty or staff of the State  
16 university or a public community college district are active  
17 participants in the conference or convention, or in Memorial  
18 Stadium on the campus of the University of Illinois at  
19 Urbana-Champaign during games in which the Chicago Bears  
20 professional football team is playing in that stadium during  
21 the renovation of Soldier Field, not more than one and a half  
22 hours before the start of the game and not after the end of the  
23 third quarter of the game, or in the Pavilion Facility on the  
24 campus of the University of Illinois at Chicago during games in  
25 which the Chicago Storm professional soccer team is playing in  
26 that facility, not more than one and a half hours before the

1 start of the game and not after the end of the third quarter of  
2 the game, or in the Pavilion Facility on the campus of the  
3 University of Illinois at Chicago during games in which the  
4 WNBA professional women's basketball team is playing in that  
5 facility, not more than one and a half hours before the start  
6 of the game and not after the 10-minute mark of the second half  
7 of the game, or by a catering establishment which has rented  
8 facilities from a board of trustees of a public community  
9 college district, or in a restaurant that is operated by a  
10 commercial tenant in the North Campus Parking Deck building  
11 that (1) is located at 1201 West University Avenue, Urbana,  
12 Illinois and (2) is owned by the Board of Trustees of the  
13 University of Illinois, or, if approved by the District board,  
14 on land owned by the Metropolitan Sanitary District of Greater  
15 Chicago and leased to others for a term of at least 20 years.  
16 Nothing in this Section precludes the sale or delivery of  
17 alcoholic liquor in the form of original packaged goods in  
18 premises located at 500 S. Racine in Chicago belonging to the  
19 University of Illinois and used primarily as a grocery store by  
20 a commercial tenant during the term of a lease that predates  
21 the University's acquisition of the premises; but the  
22 University shall have no power or authority to renew, transfer,  
23 or extend the lease with terms allowing the sale of alcoholic  
24 liquor; and the sale of alcoholic liquor shall be subject to  
25 all local laws and regulations. After the acquisition by  
26 Winnebago County of the property located at 404 Elm Street in

1 Rockford, a commercial tenant who sold alcoholic liquor at  
2 retail on a portion of the property under a valid license at  
3 the time of the acquisition may continue to do so for so long  
4 as the tenant and the County may agree under existing or future  
5 leases, subject to all local laws and regulations regarding the  
6 sale of alcoholic liquor. Alcoholic liquors may be delivered to  
7 and sold at Memorial Hall, located at 211 North Main Street,  
8 Rockford, under conditions approved by Winnebago County and  
9 subject to all local laws and regulations regarding the sale of  
10 alcoholic liquor. Each facility shall provide dram shop  
11 liability in maximum insurance coverage limits so as to save  
12 harmless the State, municipality, State university, airport,  
13 golf course, faculty center, facility in which conference and  
14 convention type activities take place, park district, Forest  
15 Preserve District, public community college district,  
16 aquarium, museum, or sanitary district from all financial loss,  
17 damage or harm. Alcoholic liquors may be sold at retail in  
18 buildings of golf courses owned by municipalities or Illinois  
19 State University in connection with the operation of an  
20 established food serving facility during times when food is  
21 dispensed for consumption upon the premises. Alcoholic liquors  
22 may be delivered to and sold at retail in any building owned by  
23 a fire protection district organized under the Fire Protection  
24 District Act, provided that such delivery and sale is approved  
25 by the board of trustees of the district, and provided further  
26 that such delivery and sale is limited to fundraising events

1 and to a maximum of 6 events per year. However, the limitation  
2 to fundraising events and to a maximum of 6 events per year  
3 does not apply to the delivery, sale, or manufacture of  
4 alcoholic liquors at the building located at 59 Main Street in  
5 Oswego, Illinois, owned by the Oswego Fire Protection District  
6 if the alcoholic liquor is sold or dispensed as approved by the  
7 Oswego Fire Protection District and the property is no longer  
8 being utilized for fire protection purposes.

9 Alcoholic liquors may be served or sold in buildings under  
10 the control of the Board of Trustees of the University of  
11 Illinois for events that the Board may determine are public  
12 events and not related student activities. The Board of  
13 Trustees shall issue a written policy within 6 months of August  
14 15, 2008 (the effective date of Public Act 95-847) concerning  
15 the types of events that would be eligible for an exemption.  
16 Thereafter, the Board of Trustees may issue revised, updated,  
17 new, or amended policies as it deems necessary and appropriate.  
18 In preparing its written policy, the Board of Trustees shall,  
19 among other factors it considers relevant and important, give  
20 consideration to the following: (i) whether the event is a  
21 student activity or student related activity; (ii) whether the  
22 physical setting of the event is conducive to control of liquor  
23 sales and distribution; (iii) the ability of the event operator  
24 to ensure that the sale or serving of alcoholic liquors and the  
25 demeanor of the participants are in accordance with State law  
26 and University policies; (iv) regarding the anticipated



1 attendees at the event, the relative proportion of individuals  
2 under the age of 21 to individuals age 21 or older; (v) the  
3 ability of the venue operator to prevent the sale or  
4 distribution of alcoholic liquors to individuals under the age  
5 of 21; (vi) whether the event prohibits participants from  
6 removing alcoholic beverages from the venue; and (vii) whether  
7 the event prohibits participants from providing their own  
8 alcoholic liquors to the venue. In addition, any policy  
9 submitted by the Board of Trustees to the Illinois Liquor  
10 Control Commission must require that any event at which  
11 alcoholic liquors are served or sold in buildings under the  
12 control of the Board of Trustees shall require the prior  
13 written approval of the Office of the Chancellor for the  
14 University campus where the event is located. The Board of  
15 Trustees shall submit its policy, and any subsequently revised,  
16 updated, new, or amended policies, to the Illinois Liquor  
17 Control Commission, and any University event, or location for  
18 an event, exempted under such policies shall apply for a  
19 license under the applicable Sections of this Act.

20 Alcoholic liquors may be served or sold in buildings under  
21 the control of the Board of Trustees of Northern Illinois  
22 University for events that the Board may determine are public  
23 events and not student-related activities. The Board of  
24 Trustees shall issue a written policy within 6 months after  
25 June 28, 2011 (the effective date of Public Act 97-45)  
26 concerning the types of events that would be eligible for an

1 exemption. Thereafter, the Board of Trustees may issue revised,  
2 updated, new, or amended policies as it deems necessary and  
3 appropriate. In preparing its written policy, the Board of  
4 Trustees shall, in addition to other factors it considers  
5 relevant and important, give consideration to the following:

6 (i) whether the event is a student activity or student-related  
7 activity; (ii) whether the physical setting of the event is  
8 conducive to control of liquor sales and distribution; (iii)  
9 the ability of the event operator to ensure that the sale or  
10 serving of alcoholic liquors and the demeanor of the  
11 participants are in accordance with State law and University  
12 policies; (iv) the anticipated attendees at the event and the  
13 relative proportion of individuals under the age of 21 to  
14 individuals age 21 or older; (v) the ability of the venue  
15 operator to prevent the sale or distribution of alcoholic  
16 liquors to individuals under the age of 21; (vi) whether the  
17 event prohibits participants from removing alcoholic beverages  
18 from the venue; and (vii) whether the event prohibits  
19 participants from providing their own alcoholic liquors to the  
20 venue.

21 Alcoholic liquors may be served or sold in buildings under  
22 the control of the Board of Trustees of Chicago State  
23 University for events that the Board may determine are public  
24 events and not student-related activities. The Board of  
25 Trustees shall issue a written policy within 6 months after  
26 August 2, 2013 (the effective date of Public Act 98-132)

1 concerning the types of events that would be eligible for an  
2 exemption. Thereafter, the Board of Trustees may issue revised,  
3 updated, new, or amended policies as it deems necessary and  
4 appropriate. In preparing its written policy, the Board of  
5 Trustees shall, in addition to other factors it considers  
6 relevant and important, give consideration to the following:

7 (i) whether the event is a student activity or student-related  
8 activity; (ii) whether the physical setting of the event is  
9 conducive to control of liquor sales and distribution; (iii)  
10 the ability of the event operator to ensure that the sale or  
11 serving of alcoholic liquors and the demeanor of the  
12 participants are in accordance with State law and University  
13 policies; (iv) the anticipated attendees at the event and the  
14 relative proportion of individuals under the age of 21 to  
15 individuals age 21 or older; (v) the ability of the venue  
16 operator to prevent the sale or distribution of alcoholic  
17 liquors to individuals under the age of 21; (vi) whether the  
18 event prohibits participants from removing alcoholic beverages  
19 from the venue; and (vii) whether the event prohibits  
20 participants from providing their own alcoholic liquors to the  
21 venue.

22 Alcoholic liquors may be served or sold in buildings under  
23 the control of the Board of Trustees of Illinois State  
24 University for events that the Board may determine are public  
25 events and not student-related activities. The Board of  
26 Trustees shall issue a written policy within 6 months after

1 March 1, 2013 (the effective date of Public Act 97-1166)  
2 concerning the types of events that would be eligible for an  
3 exemption. Thereafter, the Board of Trustees may issue revised,  
4 updated, new, or amended policies as it deems necessary and  
5 appropriate. In preparing its written policy, the Board of  
6 Trustees shall, in addition to other factors it considers  
7 relevant and important, give consideration to the following:

8 (i) whether the event is a student activity or student-related  
9 activity; (ii) whether the physical setting of the event is  
10 conducive to control of liquor sales and distribution; (iii)  
11 the ability of the event operator to ensure that the sale or  
12 serving of alcoholic liquors and the demeanor of the  
13 participants are in accordance with State law and University  
14 policies; (iv) the anticipated attendees at the event and the  
15 relative proportion of individuals under the age of 21 to  
16 individuals age 21 or older; (v) the ability of the venue  
17 operator to prevent the sale or distribution of alcoholic  
18 liquors to individuals under the age of 21; (vi) whether the  
19 event prohibits participants from removing alcoholic beverages  
20 from the venue; and (vii) whether the event prohibits  
21 participants from providing their own alcoholic liquors to the  
22 venue.

23 Alcoholic liquors may be served or sold in buildings under  
24 the control of the Board of Trustees of Southern Illinois  
25 University for events that the Board may determine are public  
26 events and not student-related activities. The Board of

1 Trustees shall issue a written policy within 6 months after  
2 August 12, 2016 (the effective date of Public Act 99-795)  
3 concerning the types of events that would be eligible for an  
4 exemption. Thereafter, the Board of Trustees may issue revised,  
5 updated, new, or amended policies as it deems necessary and  
6 appropriate. In preparing its written policy, the Board of  
7 Trustees shall, in addition to other factors it considers  
8 relevant and important, give consideration to the following:

9 (i) whether the event is a student activity or student-related  
10 activity; (ii) whether the physical setting of the event is  
11 conducive to control of liquor sales and distribution; (iii)  
12 the ability of the event operator to ensure that the sale or  
13 serving of alcoholic liquors and the demeanor of the  
14 participants are in accordance with State law and University  
15 policies; (iv) the anticipated attendees at the event and the  
16 relative proportion of individuals under the age of 21 to  
17 individuals age 21 or older; (v) the ability of the venue  
18 operator to prevent the sale or distribution of alcoholic  
19 liquors to individuals under the age of 21; (vi) whether the  
20 event prohibits participants from removing alcoholic beverages  
21 from the venue; and (vii) whether the event prohibits  
22 participants from providing their own alcoholic liquors to the  
23 venue.

24 Alcoholic liquors may be served or sold in buildings under  
25 the control of the Board of Trustees of a public university for  
26 events that the Board of Trustees of that public university may

1 determine are public events and not student-related  
2 activities. If the Board of Trustees of a public university has  
3 not issued a written policy pursuant to an exemption under this  
4 Section on or before July 15, 2016 (the effective date of  
5 Public Act 99-550), then that Board of Trustees shall issue a  
6 written policy within 6 months after July 15, 2016 (the  
7 effective date of Public Act 99-550) concerning the types of  
8 events that would be eligible for an exemption. Thereafter, the  
9 Board of Trustees may issue revised, updated, new, or amended  
10 policies as it deems necessary and appropriate. In preparing  
11 its written policy, the Board of Trustees shall, in addition to  
12 other factors it considers relevant and important, give  
13 consideration to the following: (i) whether the event is a  
14 student activity or student-related activity; (ii) whether the  
15 physical setting of the event is conducive to control of liquor  
16 sales and distribution; (iii) the ability of the event operator  
17 to ensure that the sale or serving of alcoholic liquors and the  
18 demeanor of the participants are in accordance with State law  
19 and University policies; (iv) the anticipated attendees at the  
20 event and the relative proportion of individuals under the age  
21 of 21 to individuals age 21 or older; (v) the ability of the  
22 venue operator to prevent the sale or distribution of alcoholic  
23 liquors to individuals under the age of 21; (vi) whether the  
24 event prohibits participants from removing alcoholic beverages  
25 from the venue; and (vii) whether the event prohibits  
26 participants from providing their own alcoholic liquors to the

1 venue. As used in this paragraph, "public university" means the  
2 University of Illinois, Illinois State University, Chicago  
3 State University, Governors State University, Southern  
4 Illinois University, Northern Illinois University, Eastern  
5 Illinois University, Western Illinois University, and  
6 Northeastern Illinois University.

7 Alcoholic liquors may be served or sold in buildings under  
8 the control of the Board of Trustees of a community college  
9 district for events that the Board of Trustees of that  
10 community college district may determine are public events and  
11 not student-related activities. The Board of Trustees shall  
12 issue a written policy within 6 months after July 15, 2016 (the  
13 effective date of Public Act 99-550) concerning the types of  
14 events that would be eligible for an exemption. Thereafter, the  
15 Board of Trustees may issue revised, updated, new, or amended  
16 policies as it deems necessary and appropriate. In preparing  
17 its written policy, the Board of Trustees shall, in addition to  
18 other factors it considers relevant and important, give  
19 consideration to the following: (i) whether the event is a  
20 student activity or student-related activity; (ii) whether the  
21 physical setting of the event is conducive to control of liquor  
22 sales and distribution; (iii) the ability of the event operator  
23 to ensure that the sale or serving of alcoholic liquors and the  
24 demeanor of the participants are in accordance with State law  
25 and community college district policies; (iv) the anticipated  
26 attendees at the event and the relative proportion of

1 individuals under the age of 21 to individuals age 21 or older;  
2 (v) the ability of the venue operator to prevent the sale or  
3 distribution of alcoholic liquors to individuals under the age  
4 of 21; (vi) whether the event prohibits participants from  
5 removing alcoholic beverages from the venue; and (vii) whether  
6 the event prohibits participants from providing their own  
7 alcoholic liquors to the venue. This paragraph does not apply  
8 to any community college district authorized to sell or serve  
9 alcoholic liquor under any other provision of this Section.

10 Alcoholic liquor may be delivered to and sold at retail in  
11 the Dorchester Senior Business Center owned by the Village of  
12 Dolton if the alcoholic liquor is sold or dispensed only in  
13 connection with organized functions for which the planned  
14 attendance is 20 or more persons, and if the person or facility  
15 selling or dispensing the alcoholic liquor has provided dram  
16 shop liability insurance in maximum limits so as to hold  
17 harmless the Village of Dolton and the State from all financial  
18 loss, damage and harm.

19 Alcoholic liquors may be delivered to and sold at retail in  
20 any building used as an Illinois State Armory provided:

21 (i) the Adjutant General's written consent to the  
22 issuance of a license to sell alcoholic liquor in such  
23 building is filed with the Commission;

24 (ii) the alcoholic liquor is sold or dispensed only in  
25 connection with organized functions held on special  
26 occasions;



1           (iii) the organized function is one for which the  
2 planned attendance is 25 or more persons; and

3           (iv) the facility selling or dispensing the alcoholic  
4 liquors has provided dram shop liability insurance in  
5 maximum limits so as to save harmless the facility and the  
6 State from all financial loss, damage or harm.

7 Alcoholic liquors may be delivered to and sold at retail in  
8 the Chicago Civic Center, provided that:

9           (i) the written consent of the Public Building  
10 Commission which administers the Chicago Civic Center is  
11 filed with the Commission;

12           (ii) the alcoholic liquor is sold or dispensed only in  
13 connection with organized functions held on special  
14 occasions;

15           (iii) the organized function is one for which the  
16 planned attendance is 25 or more persons;

17           (iv) the facility selling or dispensing the alcoholic  
18 liquors has provided dram shop liability insurance in  
19 maximum limits so as to hold harmless the Civic Center, the  
20 City of Chicago and the State from all financial loss,  
21 damage or harm; and

22           (v) all applicable local ordinances are complied with.

23 Alcoholic liquors may be delivered or sold in any building  
24 belonging to or under the control of any city, village or  
25 incorporated town where more than 75% of the physical  
26 properties of the building is used for commercial or

1 recreational purposes, and the building is located upon a pier  
2 extending into or over the waters of a navigable lake or stream  
3 or on the shore of a navigable lake or stream. In accordance  
4 with a license issued under this Act, alcoholic liquor may be  
5 sold, served, or delivered in buildings and facilities under  
6 the control of the Department of Natural Resources during  
7 events or activities lasting no more than 7 continuous days  
8 upon the written approval of the Director of Natural Resources  
9 acting as the controlling government authority. The Director of  
10 Natural Resources may specify conditions on that approval,  
11 including but not limited to requirements for insurance and  
12 hours of operation. Notwithstanding any other provision of this  
13 Act, alcoholic liquor sold by a United States Army Corps of  
14 Engineers or Department of Natural Resources concessionaire  
15 who was operating on June 1, 1991 for on-premises consumption  
16 only is not subject to the provisions of Articles IV and IX.  
17 Beer and wine may be sold on the premises of the Joliet Park  
18 District Stadium owned by the Joliet Park District when written  
19 consent to the issuance of a license to sell beer and wine in  
20 such premises is filed with the local liquor commissioner by  
21 the Joliet Park District. Beer and wine may be sold in  
22 buildings on the grounds of State veterans' homes when written  
23 consent to the issuance of a license to sell beer and wine in  
24 such buildings is filed with the Commission by the Department  
25 of Veterans' Affairs, and the facility shall provide dram shop  
26 liability in maximum insurance coverage limits so as to save

1 the facility harmless from all financial loss, damage or harm.  
2 Such liquors may be delivered to and sold at any property owned  
3 or held under lease by a Metropolitan Pier and Exposition  
4 Authority or Metropolitan Exposition and Auditorium Authority.

5 Beer and wine may be sold and dispensed at professional  
6 sporting events and at professional concerts and other  
7 entertainment events conducted on premises owned by the Forest  
8 Preserve District of Kane County, subject to the control of the  
9 District Commissioners and applicable local law, provided that  
10 dram shop liability insurance is provided at maximum coverage  
11 limits so as to hold the District harmless from all financial  
12 loss, damage and harm.

13 Nothing in this Section shall preclude the sale or delivery  
14 of beer and wine at a State or county fair or the sale or  
15 delivery of beer or wine at a city fair in any otherwise lawful  
16 manner.

17 Alcoholic liquors may be sold at retail in buildings in  
18 State parks under the control of the Department of Natural  
19 Resources, provided:

20 a. the State park has overnight lodging facilities with  
21 some restaurant facilities or, not having overnight  
22 lodging facilities, has restaurant facilities which serve  
23 complete luncheon and dinner or supper meals,

24 b. (blank), and

25 c. the alcoholic liquors are sold by the State park  
26 lodge or restaurant concessionaire only during the hours

1 from 11 o'clock a.m. until 12 o'clock midnight.  
2 Notwithstanding any other provision of this Act, alcoholic  
3 liquor sold by the State park or restaurant concessionaire  
4 is not subject to the provisions of Articles IV and IX.

5 Alcoholic liquors may be sold at retail in buildings on  
6 properties under the control of the Division of Historic Sites  
7 ~~and Preservation Division~~ of the Department of Natural  
8 Resources ~~Historic Preservation Agency~~ or the Abraham Lincoln  
9 Presidential Library and Museum provided:

10 a. the property has overnight lodging facilities with  
11 some restaurant facilities or, not having overnight  
12 lodging facilities, has restaurant facilities which serve  
13 complete luncheon and dinner or supper meals,

14 b. consent to the issuance of a license to sell  
15 alcoholic liquors in the buildings has been filed with the  
16 commission by the Division of Historic Sites ~~and~~  
17 ~~Preservation Division~~ of the Department of Natural  
18 Resources ~~Historic Preservation Agency~~ or the Abraham  
19 Lincoln Presidential Library and Museum, and

20 c. the alcoholic liquors are sold by the lodge or  
21 restaurant concessionaire only during the hours from 11  
22 o'clock a.m. until 12 o'clock midnight.

23 The sale of alcoholic liquors pursuant to this Section does  
24 not authorize the establishment and operation of facilities  
25 commonly called taverns, saloons, bars, cocktail lounges, and  
26 the like except as a part of lodge and restaurant facilities in

1 State parks or golf courses owned by Forest Preserve Districts  
2 with a population of less than 3,000,000 or municipalities or  
3 park districts.

4 Alcoholic liquors may be sold at retail in the Springfield  
5 Administration Building of the Department of Transportation  
6 and the Illinois State Armory in Springfield; provided, that  
7 the controlling government authority may consent to such sales  
8 only if

9 a. the request is from a not-for-profit organization;

10 b. such sales would not impede normal operations of the  
11 departments involved;

12 c. the not-for-profit organization provides dram shop  
13 liability in maximum insurance coverage limits and agrees  
14 to defend, save harmless and indemnify the State of  
15 Illinois from all financial loss, damage or harm;

16 d. no such sale shall be made during normal working  
17 hours of the State of Illinois; and

18 e. the consent is in writing.

19 Alcoholic liquors may be sold at retail in buildings in  
20 recreational areas of river conservancy districts under the  
21 control of, or leased from, the river conservancy districts.  
22 Such sales are subject to reasonable local regulations as  
23 provided in Article IV; however, no such regulations may  
24 prohibit or substantially impair the sale of alcoholic liquors  
25 on Sundays or Holidays.

26 Alcoholic liquors may be provided in long term care

1 facilities owned or operated by a county under Division 5-21 or  
2 5-22 of the Counties Code, when approved by the facility  
3 operator and not in conflict with the regulations of the  
4 Illinois Department of Public Health, to residents of the  
5 facility who have had their consumption of the alcoholic  
6 liquors provided approved in writing by a physician licensed to  
7 practice medicine in all its branches.

8 Alcoholic liquors may be delivered to and dispensed in  
9 State housing assigned to employees of the Department of  
10 Corrections. No person shall furnish or allow to be furnished  
11 any alcoholic liquors to any prisoner confined in any jail,  
12 reformatory, prison or house of correction except upon a  
13 physician's prescription for medicinal purposes.

14 Alcoholic liquors may be sold at retail or dispensed at the  
15 Willard Ice Building in Springfield, at the State Library in  
16 Springfield, and at Illinois State Museum facilities by (1) an  
17 agency of the State, whether legislative, judicial or  
18 executive, provided that such agency first obtains written  
19 permission to sell or dispense alcoholic liquors from the  
20 controlling government authority, or by (2) a not-for-profit  
21 organization, provided that such organization:

22 a. Obtains written consent from the controlling  
23 government authority;

24 b. Sells or dispenses the alcoholic liquors in a manner  
25 that does not impair normal operations of State offices  
26 located in the building;

1 c. Sells or dispenses alcoholic liquors only in  
2 connection with an official activity in the building;

3 d. Provides, or its catering service provides, dram  
4 shop liability insurance in maximum coverage limits and in  
5 which the carrier agrees to defend, save harmless and  
6 indemnify the State of Illinois from all financial loss,  
7 damage or harm arising out of the selling or dispensing of  
8 alcoholic liquors.

9 Nothing in this Act shall prevent a not-for-profit  
10 organization or agency of the State from employing the services  
11 of a catering establishment for the selling or dispensing of  
12 alcoholic liquors at authorized functions.

13 The controlling government authority for the Willard Ice  
14 Building in Springfield shall be the Director of the Department  
15 of Revenue. The controlling government authority for Illinois  
16 State Museum facilities shall be the Director of the Illinois  
17 State Museum. The controlling government authority for the  
18 State Library in Springfield shall be the Secretary of State.

19 Alcoholic liquors may be delivered to and sold at retail or  
20 dispensed at any facility, property or building under the  
21 jurisdiction of the Division of Historic Sites and Preservation  
22 ~~Division~~ of the Department of Natural Resources ~~Historic~~  
23 ~~Preservation Agency~~ or the Abraham Lincoln Presidential  
24 Library and Museum where the delivery, sale or dispensing is by  
25 (1) an agency of the State, whether legislative, judicial or  
26 executive, provided that such agency first obtains written

1 permission to sell or dispense alcoholic liquors from a  
2 controlling government authority, or by (2) an individual or  
3 organization provided that such individual or organization:

4 a. Obtains written consent from the controlling  
5 government authority;

6 b. Sells or dispenses the alcoholic liquors in a manner  
7 that does not impair normal workings of State offices or  
8 operations located at the facility, property or building;

9 c. Sells or dispenses alcoholic liquors only in  
10 connection with an official activity of the individual or  
11 organization in the facility, property or building;

12 d. Provides, or its catering service provides, dram  
13 shop liability insurance in maximum coverage limits and in  
14 which the carrier agrees to defend, save harmless and  
15 indemnify the State of Illinois from all financial loss,  
16 damage or harm arising out of the selling or dispensing of  
17 alcoholic liquors.

18 The controlling government authority for the Division of  
19 Historic Sites and Preservation Division of the Department of  
20 Natural Resources ~~Historic Preservation Agency~~ shall be the  
21 Director of Natural Resources ~~the Historic Sites and~~  
22 ~~Preservation~~, and the controlling government authority for the  
23 Abraham Lincoln Presidential Library and Museum shall be the  
24 Executive Director of the Abraham Lincoln Presidential Library  
25 and Museum.

26 Alcoholic liquors may be delivered to and sold at retail or



1 dispensed for consumption at the Michael Bilandic Building at  
2 160 North LaSalle Street, Chicago IL 60601, after the normal  
3 business hours of any day care or child care facility located  
4 in the building, by (1) a commercial tenant or subtenant  
5 conducting business on the premises under a lease made pursuant  
6 to Section 405-315 of the Department of Central Management  
7 Services Law (20 ILCS 405/405-315), provided that such tenant  
8 or subtenant who accepts delivery of, sells, or dispenses  
9 alcoholic liquors shall procure and maintain dram shop  
10 liability insurance in maximum coverage limits and in which the  
11 carrier agrees to defend, indemnify, and save harmless the  
12 State of Illinois from all financial loss, damage, or harm  
13 arising out of the delivery, sale, or dispensing of alcoholic  
14 liquors, or by (2) an agency of the State, whether legislative,  
15 judicial, or executive, provided that such agency first obtains  
16 written permission to accept delivery of and sell or dispense  
17 alcoholic liquors from the Director of Central Management  
18 Services, or by (3) a not-for-profit organization, provided  
19 that such organization:

20 a. obtains written consent from the Department of  
21 Central Management Services;

22 b. accepts delivery of and sells or dispenses the  
23 alcoholic liquors in a manner that does not impair normal  
24 operations of State offices located in the building;

25 c. accepts delivery of and sells or dispenses alcoholic  
26 liquors only in connection with an official activity in the

1 building; and

2 d. provides, or its catering service provides, dram  
3 shop liability insurance in maximum coverage limits and in  
4 which the carrier agrees to defend, save harmless, and  
5 indemnify the State of Illinois from all financial loss,  
6 damage, or harm arising out of the selling or dispensing of  
7 alcoholic liquors.

8 Nothing in this Act shall prevent a not-for-profit  
9 organization or agency of the State from employing the services  
10 of a catering establishment for the selling or dispensing of  
11 alcoholic liquors at functions authorized by the Director of  
12 Central Management Services.

13 Alcoholic liquors may be sold at retail or dispensed at the  
14 James R. Thompson Center in Chicago, subject to the provisions  
15 of Section 7.4 of the State Property Control Act, and 222 South  
16 College Street in Springfield, Illinois by (1) a commercial  
17 tenant or subtenant conducting business on the premises under a  
18 lease or sublease made pursuant to Section 405-315 of the  
19 Department of Central Management Services Law (20 ILCS  
20 405/405-315), provided that such tenant or subtenant who sells  
21 or dispenses alcoholic liquors shall procure and maintain dram  
22 shop liability insurance in maximum coverage limits and in  
23 which the carrier agrees to defend, indemnify and save harmless  
24 the State of Illinois from all financial loss, damage or harm  
25 arising out of the sale or dispensing of alcoholic liquors, or  
26 by (2) an agency of the State, whether legislative, judicial or

1 executive, provided that such agency first obtains written  
2 permission to sell or dispense alcoholic liquors from the  
3 Director of Central Management Services, or by (3) a  
4 not-for-profit organization, provided that such organization:

5 a. Obtains written consent from the Department of  
6 Central Management Services;

7 b. Sells or dispenses the alcoholic liquors in a manner  
8 that does not impair normal operations of State offices  
9 located in the building;

10 c. Sells or dispenses alcoholic liquors only in  
11 connection with an official activity in the building;

12 d. Provides, or its catering service provides, dram  
13 shop liability insurance in maximum coverage limits and in  
14 which the carrier agrees to defend, save harmless and  
15 indemnify the State of Illinois from all financial loss,  
16 damage or harm arising out of the selling or dispensing of  
17 alcoholic liquors.

18 Nothing in this Act shall prevent a not-for-profit  
19 organization or agency of the State from employing the services  
20 of a catering establishment for the selling or dispensing of  
21 alcoholic liquors at functions authorized by the Director of  
22 Central Management Services.

23 Alcoholic liquors may be sold or delivered at any facility  
24 owned by the Illinois Sports Facilities Authority provided that  
25 dram shop liability insurance has been made available in a  
26 form, with such coverage and in such amounts as the Authority

1 reasonably determines is necessary.

2 Alcoholic liquors may be sold at retail or dispensed at the  
3 Rockford State Office Building by (1) an agency of the State,  
4 whether legislative, judicial or executive, provided that such  
5 agency first obtains written permission to sell or dispense  
6 alcoholic liquors from the Department of Central Management  
7 Services, or by (2) a not-for-profit organization, provided  
8 that such organization:

9 a. Obtains written consent from the Department of  
10 Central Management Services;

11 b. Sells or dispenses the alcoholic liquors in a manner  
12 that does not impair normal operations of State offices  
13 located in the building;

14 c. Sells or dispenses alcoholic liquors only in  
15 connection with an official activity in the building;

16 d. Provides, or its catering service provides, dram  
17 shop liability insurance in maximum coverage limits and in  
18 which the carrier agrees to defend, save harmless and  
19 indemnify the State of Illinois from all financial loss,  
20 damage or harm arising out of the selling or dispensing of  
21 alcoholic liquors.

22 Nothing in this Act shall prevent a not-for-profit  
23 organization or agency of the State from employing the services  
24 of a catering establishment for the selling or dispensing of  
25 alcoholic liquors at functions authorized by the Department of  
26 Central Management Services.

1           Alcoholic liquors may be sold or delivered in a building  
2 that is owned by McLean County, situated on land owned by the  
3 county in the City of Bloomington, and used by the McLean  
4 County Historical Society if the sale or delivery is approved  
5 by an ordinance adopted by the county board, and the  
6 municipality in which the building is located may not prohibit  
7 that sale or delivery, notwithstanding any other provision of  
8 this Section. The regulation of the sale and delivery of  
9 alcoholic liquor in a building that is owned by McLean County,  
10 situated on land owned by the county, and used by the McLean  
11 County Historical Society as provided in this paragraph is an  
12 exclusive power and function of the State and is a denial and  
13 limitation under Article VII, Section 6, subsection (h) of the  
14 Illinois Constitution of the power of a home rule municipality  
15 to regulate that sale and delivery.

16           Alcoholic liquors may be sold or delivered in any building  
17 situated on land held in trust for any school district  
18 organized under Article 34 of the School Code, if the building  
19 is not used for school purposes and if the sale or delivery is  
20 approved by the board of education.

21           Alcoholic liquors may be delivered to and sold at retail in  
22 any building owned by a public library district, provided that  
23 the delivery and sale is approved by the board of trustees of  
24 that public library district and is limited to library  
25 fundraising events or programs of a cultural or educational  
26 nature. Before the board of trustees of a public library

1 district may approve the delivery and sale of alcoholic  
2 liquors, the board of trustees of the public library district  
3 must have a written policy that has been approved by the board  
4 of trustees of the public library district governing when and  
5 under what circumstances alcoholic liquors may be delivered to  
6 and sold at retail on property owned by that public library  
7 district. The written policy must (i) provide that no alcoholic  
8 liquor may be sold, distributed, or consumed in any area of the  
9 library accessible to the general public during the event or  
10 program, (ii) prohibit the removal of alcoholic liquor from the  
11 venue during the event, and (iii) require that steps be taken  
12 to prevent the sale or distribution of alcoholic liquor to  
13 persons under the age of 21. Any public library district that  
14 has alcoholic liquor delivered to or sold at retail on property  
15 owned by the public library district shall provide dram shop  
16 liability insurance in maximum insurance coverage limits so as  
17 to save harmless the public library districts from all  
18 financial loss, damage, or harm.

19 Alcoholic liquors may be sold or delivered in buildings  
20 owned by the Community Building Complex Committee of Boone  
21 County, Illinois if the person or facility selling or  
22 dispensing the alcoholic liquor has provided dram shop  
23 liability insurance with coverage and in amounts that the  
24 Committee reasonably determines are necessary.

25 Alcoholic liquors may be sold or delivered in the building  
26 located at 1200 Centerville Avenue in Belleville, Illinois and

1 occupied by either the Belleville Area Special Education  
2 District or the Belleville Area Special Services Cooperative.

3 Alcoholic liquors may be delivered to and sold at the Louis  
4 Joliet Renaissance Center, City Center Campus, located at 214  
5 N. Ottawa Street, Joliet, and the Food Services/Culinary Arts  
6 Department facilities, Main Campus, located at 1215 Houbolt  
7 Road, Joliet, owned by or under the control of Joliet Junior  
8 College, Illinois Community College District No. 525.

9 Alcoholic liquors may be delivered to and sold at Triton  
10 College, Illinois Community College District No. 504.

11 Alcoholic liquors may be delivered to and sold at the  
12 College of DuPage, Illinois Community College District No. 502.

13 Alcoholic liquors may be delivered to and sold on any  
14 property owned, operated, or controlled by Lewis and Clark  
15 Community College, Illinois Community College District No.  
16 536.

17 Alcoholic liquors may be delivered to and sold at the  
18 building located at 446 East Hickory Avenue in Apple River,  
19 Illinois, owned by the Apple River Fire Protection District,  
20 and occupied by the Apple River Community Association if the  
21 alcoholic liquor is sold or dispensed only in connection with  
22 organized functions approved by the Apple River Community  
23 Association for which the planned attendance is 20 or more  
24 persons and if the person or facility selling or dispensing the  
25 alcoholic liquor has provided dram shop liability insurance in  
26 maximum limits so as to hold harmless the Apple River Fire

1 Protection District, the Village of Apple River, and the Apple  
2 River Community Association from all financial loss, damage,  
3 and harm.

4 Alcoholic liquors may be delivered to and sold at the Sikia  
5 Restaurant, Kennedy King College Campus, located at 740 West  
6 63rd Street, Chicago, and at the Food Services in the Great  
7 Hall/Washburne Culinary Institute Department facility, Kennedy  
8 King College Campus, located at 740 West 63rd Street, Chicago,  
9 owned by or under the control of City Colleges of Chicago,  
10 Illinois Community College District No. 508.

11 (Source: P.A. 99-78, eff. 7-20-15; 99-484, eff. 10-30-15;  
12 99-550, eff. 7-15-16; 99-559, eff. 7-15-16; 99-795, eff.  
13 8-12-16; 100-120, eff. 8-18-17; 100-201, eff. 8-18-17.)

14 Section 120. The Illinois Highway Code is amended by  
15 changing Section 4-201.5 as follows:

16 (605 ILCS 5/4-201.5) (from Ch. 121, par. 4-201.5)

17 Sec. 4-201.5. To lay out, construct and maintain, as a part  
18 of the State highway system, highways and entrances which will  
19 connect any State highway, now existing or hereafter  
20 constructed, with any State park, State forest, State wildlife  
21 or fish refuge, the grounds of any State institution or any  
22 recreational, scenic or historic place owned or operated by the  
23 State; any national cemetery; and to any tax supported airport  
24 constructed in part by State and federal funds; and, with the



1 consent of the Department of Natural Resources, to construct,  
2 maintain and repair that part of any road or bridge, not  
3 otherwise under the jurisdiction of the Department, which lies  
4 within any State park, State conservation area, State forest,  
5 State wildlife and fish refuge, or any other recreational  
6 scenic area owned and operated by the Department of Natural  
7 Resources. With the consent of the Department of Natural  
8 Resources ~~Historic Preservation Agency~~, to construct, maintain  
9 and repair that part of any road or bridge, not otherwise under  
10 the jurisdiction of the Department, which lies within any State  
11 Historic Site owned and operated by the Department of Natural  
12 Resources ~~Historic Preservation Agency~~.

13 (Source: P.A. 89-445, eff. 2-7-96.)

14 Section 999. Effective date. This Act takes effect upon  
15 becoming law.

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