



Sen. Pamela J. Althoff

Filed: 4/15/2016

09900SB2657sam001

LRB099 16839 AMC 47500 a

1 AMENDMENT TO SENATE BILL 2657

2 AMENDMENT NO. _____. Amend Senate Bill 2657 by replacing
3 everything after the enacting clause with the following:

4 "ARTICLE 5.
5 AMENDATORY PROVISIONS

6 Section 5-5. The Illinois Emergency Employment Development
7 Act is amended by changing Sections 2, 9, and 11 as follows:

8 (20 ILCS 630/2) (from Ch. 48, par. 2402)

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

11 (a) "Advisory Committee" means the 21st Century Workforce
12 Development Fund Advisory Committee, ~~established under the~~
13 ~~21st Century Workforce Development Fund Act.~~

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

1 (c) "Department" means the Illinois Department of Commerce
2 and Economic Opportunity.

3 (d) "Director" means the Director of Commerce and Economic
4 Opportunity.

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

6 (f) "Eligible employer" means an eligible nonprofit
7 agency, or an eligible business.

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

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

18 (i) "Employment administrator" means the administrative
19 entity designated by the Coordinator, and approved by the
20 Advisory Committee, to administer the provisions of this Act in
21 each service delivery area. With approval of the Advisory
22 Committee, the Coordinator may designate an administrative
23 entity authorized under the Workforce Investment Act or
24 private, public, or non-profit entities that have proven
25 effectiveness in providing training, workforce development,
26 and job placement services to low-income individuals.

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

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

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

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

14 (n) "Workforce Investment Act" means the federal Workforce
15 Investment Act of 1998, any amendments to that Act, and any
16 other applicable federal statutes.

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

18 (20 ILCS 630/9) (from Ch. 48, par. 2409)

19 Sec. 9. Eligible businesses.

20 (a) A business employer is an eligible employer if it
21 enters into a written contract, signed and subscribed to under
22 oath, with the employment administrator for its service
23 delivery area containing assurances that:

24 (1) funds received by a business shall be used only as
25 permitted under the program;

1 (2) the business has submitted a plan to the employment
2 administrator (A) describing the duties and proposed
3 compensation of each employee proposed to be hired under
4 the program; and (B) demonstrating that with the funds
5 provided under the program the business is likely to
6 succeed and continue to employ persons hired under the
7 program;

8 (3) the business will use funds exclusively for
9 compensation and fringe benefits of eligible job
10 applicants and will provide employees hired with these
11 funds with fringe benefits and other terms and conditions
12 of employment comparable to those provided to other
13 employees of the business who do comparable work;

14 (4) the funds are necessary to allow the business to
15 begin, or to employ additional people, but not to fill
16 positions which would be filled even in the absence of
17 funds from this program;

18 (5) the business will cooperate with the coordinator in
19 collecting data to assess the result of the program; and

20 (6) the business is in compliance with all applicable
21 affirmative action, fair labor, health, safety, and
22 environmental standards.

23 (b) In allocating funds among eligible businesses, the
24 employment administrator shall give priority to businesses
25 which best satisfy the following criteria:

26 (1) have a high potential for growth and long-term job

1 creation;

2 (2) are labor intensive;

3 (3) make high use of local and State resources;

4 (4) are under ownership of women and minorities;

5 (4.5) meet the definition of a small business as

6 defined in Section 5 of the Small Business Advisory Act;

7 (4.10) produce energy conserving materials or services

8 or are involved in development of renewable sources of

9 energy;

10 (5) have their primary places of business in the State;

11 and

12 (6) intend to continue the employment of the eligible

13 applicant for at least 6 months of unsubsidized employment.

14 (c) (Blank).

15 (d) A business receiving funds under this program shall

16 repay 70% of the amount received for each eligible job

17 applicant employed who does not continue in the employment of

18 the business for at least 6 months beyond the subsidized period

19 unless the employer dismisses an employee for good cause and

20 works with the Employment Administrator to employ and train

21 another person referred by the Employment Administrator. The

22 Employment Administrator shall forward payments received under

23 this subsection to the Coordinator on a monthly basis. The

24 Coordinator shall deposit these payments into the General

25 Revenue ~~Illinois 21st Century Workforce Development~~ Fund.

26 (Source: P.A. 97-581, eff. 8-26-11; 97-813, eff. 7-13-12.)

1 (20 ILCS 630/11)

2 Sec. 11. Illinois 21st Century Workforce Development Fund
3 Advisory Committee.

4 (a) The 21st Century Workforce Development Fund Advisory
5 Committee~~7~~ established under this Act as a continuation of the
6 Advisory Committee created under the 21st Century Workforce
7 Development Fund Act (now repealed) is continued under this
8 Act. The Advisory Committee~~7~~ shall provide oversight to the
9 Illinois Emergency Employment Development program. The
10 Department is responsible for the administration and staffing
11 of the Advisory Committee.

12 (b) The Advisory Committee shall meet at the call of the
13 Coordinator to do the following:

14 (1) establish guidelines for the selection of
15 Employment Administrators;

16 (2) review recommendations of the Coordinator and
17 approve final selection of Employment Administrators;

18 (3) develop guidelines for the emergency employment
19 development plans to be created by each Employment
20 Administrator;

21 (4) review the emergency employment development plan
22 submitted by the Employment Administrator of each service
23 delivery area and approve satisfactory plans;

24 (5) ensure that the program is widely marketed to
25 employers and eligible job seekers;

1 (6) set policy regarding disbursement of program
2 funds; and

3 (7) review program quarterly reports and make
4 recommendations for program improvements as needed.

5 (c) Membership. The Advisory Committee shall consist of 21
6 persons. Co-chairs shall be appointed by the Governor with the
7 requirement that one come from the public and one from the
8 private sector.

9 (d) Eleven members shall be appointed by the Governor, and
10 any of the 11 members appointed by the Governor may fill more
11 than one of the following required categories:

12 (i) Four must be from communities outside of the City
13 of Chicago.

14 (ii) At least one must be a member of a local workforce
15 investment board (LWIB) in his or her community.

16 (iii) At least one must represent organized labor.

17 (iv) At least one must represent business or industry.

18 (v) At least one must represent a non-profit
19 organization that provides workforce development or job
20 training services.

21 (vi) At least one must represent a non-profit
22 organization involved in workforce development policy,
23 analysis, or research.

24 (vii) At least one must represent a non-profit
25 organization involved in environmental policy, advocacy,
26 or research.

1 (viii) At least one must represent a group that
2 advocates for individuals with barriers to employment,
3 including at-risk youth, formerly incarcerated
4 individuals, and individuals living in poverty.

5 (e) The other 10 members shall be the following:

6 (i) The Director of Commerce and Economic Opportunity,
7 or his or her designee who oversees workforce development
8 services.

9 (ii) The Secretary of Human Services, or his or her
10 designee who oversees human capital services.

11 (iii) The Director of Corrections, or his or her
12 designee who oversees prisoner re-entry services.

13 (iv) The Director of the Environmental Protection
14 Agency, or his or her designee who oversees contractor
15 compliance.

16 (v) The Chairman of the Illinois Community College
17 Board, or his or her designee who oversees technical and
18 career education.

19 (vi) A representative of the Illinois Community
20 College Board involved in energy education and sustainable
21 practices, designated by the Board.

22 (vii) Four State legislators, one designated by the
23 President of the Senate, one designated by the Speaker of
24 the House, one designated by the Senate Minority Leader,
25 and one designated by the House Minority Leader.

26 (f) Appointees under subsection (d) shall serve a 2-year

1 term and are eligible to be re-appointed one time. Members
2 under subsection (e) shall serve ex officio or at the pleasure
3 of the designating official, as applicable.

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

5 Section 5-10. The High Speed Internet Services and
6 Information Technology Act is amended by changing Section 20 as
7 follows:

8 (20 ILCS 661/20)

9 Sec. 20. Duties of the enlisted nonprofit organization.

10 (a) The high speed Internet deployment strategy and demand
11 creation initiative to be performed by the nonprofit
12 organization shall include, but not be limited to, the
13 following actions:

14 (1) Create a geographic statewide inventory of high
15 speed Internet service and other relevant broadband and
16 information technology services. The inventory shall:

17 (A) identify geographic gaps in high speed
18 Internet service through a method of GIS mapping of
19 service availability and GIS analysis at the census
20 block level;

21 (B) provide a baseline assessment of statewide
22 high speed Internet deployment in terms of percentage
23 of Illinois households with high speed Internet
24 availability; and

1 (C) collect from Facilities-based Providers of
2 Broadband Connections to End User Locations the
3 information provided pursuant to the agreements
4 entered into with the non-profit organization as of the
5 effective date of this amendatory Act of the 96th
6 General Assembly or similar information from
7 Facilities-based Providers of Broadband Connections to
8 End User Locations that do not have the agreements on
9 said date.

10 For the purposes of item (C), "Facilities-based
11 Providers of Broadband Connections to End User
12 Locations" shall have the same meaning as that term is
13 defined in Section 13-407 of the Public Utilities Act.

14 (2) Track and identify, through customer interviews
15 and surveys and other publicly available sources,
16 statewide residential and business adoption of high speed
17 Internet, computers, and related information technology
18 and any barriers to adoption.

19 (3) Build and facilitate in each county or designated
20 region a local technology planning team with members
21 representing a cross section of the community, including,
22 but not limited to, representatives of business, K-12
23 education, health care, libraries, higher education,
24 community-based organizations, local government, tourism,
25 parks and recreation, and agriculture. Each team shall
26 benchmark technology use across relevant community

1 sectors, set goals for improved technology use within each
2 sector, and develop a plan for achieving its goals, with
3 specific recommendations for online application
4 development and demand creation.

5 (4) Collaborate with high speed Internet providers and
6 technology companies to encourage deployment and use,
7 especially in underserved areas, by aggregating local
8 demand, mapping analysis, and creating market intelligence
9 to improve the business case for providers to deploy.

10 (5) Collaborate with the Department in developing a
11 program to increase computer ownership and broadband
12 access for disenfranchised populations across the State.
13 The program may include grants to local community
14 technology centers that provide technology training,
15 promote computer ownership, and increase broadband access.

16 (6) Collaborate with the Department and the Illinois
17 Commerce Commission regarding the collection of the
18 information required by this Section to assist in
19 monitoring and analyzing the broadband markets and the
20 status of competition and deployment of broadband services
21 to consumers in the State, including the format of
22 information requested, provided the Commission enters into
23 the proprietary and confidentiality agreements governing
24 such information.

25 (b) The nonprofit organization may apply for federal grants
26 consistent with the objectives of this Act.

1 (c) (Blank). ~~The Department of Commerce and Economic~~
2 ~~Opportunity shall use the funds in the High Speed Internet~~
3 ~~Services and Information Technology Fund to (1) provide grants~~
4 ~~to the nonprofit organization enlisted under this Act and (2)~~
5 ~~for any costs incurred by the Department to administer this~~
6 ~~Act.~~

7 (d) The nonprofit organization shall have the power to
8 obtain or to raise funds other than the grants received from
9 the Department under this Act.

10 (e) The nonprofit organization and its Board of Directors
11 shall exist separately and independently from the Department
12 and any other governmental entity, but shall cooperate with
13 other public or private entities it deems appropriate in
14 carrying out its duties.

15 (f) Notwithstanding anything in this Act or any other Act
16 to the contrary, any information that is designated
17 confidential or proprietary by an entity providing the
18 information to the nonprofit organization or any other entity
19 to accomplish the objectives of this Act shall be deemed
20 confidential, proprietary, and a trade secret and treated by
21 the nonprofit organization or anyone else possessing the
22 information as such and shall not be disclosed.

23 (g) The nonprofit organization shall provide a report to
24 the Commission on Government Forecasting and Accountability on
25 an annual basis for the first 3 complete State fiscal years
26 following its enlistment.

1 (Source: P.A. 95-684, eff. 10-19-07; 96-927, eff. 6-15-10.)

2 (20 ILCS 661/30 rep.)

3 Section 5-15. The High Speed Internet Services and
4 Information Technology Act is amended by repealing Section 30.

5 (20 ILCS 2310/2310-260 rep.)

6 Section 5-20. The Department of Public Health Powers and
7 Duties Law of the Civil Administrative Code of Illinois is
8 amended by repealing Section 2310-260.

9 Section 5-25. The Department of Veterans Affairs Act is
10 amended by changing Section 2 as follows:

11 (20 ILCS 2805/2) (from Ch. 126 1/2, par. 67)

12 Sec. 2. Powers and duties. The Department shall have the
13 following powers and duties:

14 To perform such acts at the request of any veteran, or his
15 or her spouse, surviving spouse or dependents as shall be
16 reasonably necessary or reasonably incident to obtaining or
17 endeavoring to obtain for the requester any advantage, benefit
18 or emolument accruing or due to such person under any law of
19 the United States, the State of Illinois or any other state or
20 governmental agency by reason of the service of such veteran,
21 and in pursuance thereof shall:

22 (1) Contact veterans, their survivors and dependents

1 and advise them of the benefits of state and federal laws
2 and assist them in obtaining such benefits;

3 (2) Establish field offices and direct the activities
4 of the personnel assigned to such offices;

5 (3) Create and maintain a volunteer field force; the
6 volunteer field force may include representatives from the
7 following without limitation: educational institutions,
8 labor organizations, veterans organizations, employers,
9 churches, and farm organizations; the volunteer field
10 force may not process federal veterans assistance claims;

11 (4) Conduct informational and training services;

12 (5) Conduct educational programs through newspapers,
13 periodicals, social media, television, and radio for the
14 specific purpose of disseminating information affecting
15 veterans and their dependents;

16 (6) Coordinate the services and activities of all state
17 departments having services and resources affecting
18 veterans and their dependents;

19 (7) Encourage and assist in the coordination of
20 agencies within counties giving service to veterans and
21 their dependents;

22 (8) Cooperate with veterans organizations and other
23 governmental agencies;

24 (9) Make, alter, amend and promulgate reasonable rules
25 and procedures for the administration of this Act;

26 (10) Make and publish annual reports to the Governor

1 regarding the administration and general operation of the
2 Department;

3 (11) (Blank); and

4 (12) (Blank).

5 The Department may accept and hold on behalf of the State,
6 if for the public interest, a grant, gift, devise or bequest of
7 money or property to the Department made for the general
8 benefit of Illinois veterans, including the conduct of
9 informational and training services by the Department and other
10 authorized purposes of the Department. The Department shall
11 cause each grant, gift, devise or bequest to be kept as a
12 distinct fund and shall invest such funds in the manner
13 provided by the Public Funds Investment Act, as now or
14 hereafter amended, and shall make such reports as may be
15 required by the Comptroller concerning what funds are so held
16 and the manner in which such funds are invested. The Department
17 may make grants from these funds for the general benefit of
18 Illinois veterans. Grants from these funds, except for the
19 funds established under Sections 2.01a and 2.03, shall be
20 subject to appropriation.

21 ~~The Department has the power to make grants, from funds~~
22 ~~appropriated from the Korean War Veterans National Museum and~~
23 ~~Library Fund, to private organizations for the benefit of the~~
24 ~~Korean War Veterans National Museum and Library.~~

25 The Department has the power to make grants, from funds
26 appropriated from the Illinois Military Family Relief Fund, for

1 benefits authorized under the Survivors Compensation Act.

2 (Source: P.A. 99-314, eff. 8-7-15.)

3 (20 ILCS 2805/25 rep.)

4 Section 5-30. The Department of Veterans Affairs Act is
5 amended by repealing Section 25.

6 (20 ILCS 3981/Act rep.)

7 Section 5-35. The Illinois Laboratory Advisory Committee
8 Act is repealed.

9 (30 ILCS 105/5.438 rep.)

10 (30 ILCS 105/5.536 rep.)

11 (30 ILCS 105/5.554 rep.)

12 (30 ILCS 105/5.595 rep.)

13 (30 ILCS 105/5.624 rep.)

14 (30 ILCS 105/5.651 rep.)

15 (30 ILCS 105/5.665 rep.)

16 (30 ILCS 105/5.696 rep.)

17 (30 ILCS 105/5.702 rep.)

18 (30 ILCS 105/5.721 rep.)

19 (30 ILCS 105/5.725 rep.)

20 (30 ILCS 105/5.744 rep.)

21 (30 ILCS 105/5.752 rep.)

22 (30 ILCS 105/5.784 rep.)

23 (30 ILCS 105/5.785 rep.)

1 (30 ILCS 105/5.793 rep.)

2 (30 ILCS 105/5.802 rep.)

3 (30 ILCS 105/6b-3 rep.)

4 (30 ILCS 105/6p-6 rep.)

5 (30 ILCS 105/6z-76 rep.)

6 (30 ILCS 105/6z-80 rep.)

7 (30 ILCS 105/6z-84 rep.)

8 (30 ILCS 105/6z-89 rep.)

9 (30 ILCS 105/6z-90 rep.)

10 Section 5-40. The State Finance Act is amended by repealing
11 Sections 5.438, 5.536, 5.554, 5.595, 5.624, 5.651, 5.665,
12 5.696, 5.702, 5.721, 5.725, 5.744, 5.752, 5.784, 5.785, 5.793,
13 5.802, 6b-3, 6p-6, 6z-76, 6z-80, 6z-84, 6z-89, and 6z-90.

14 (30 ILCS 787/Act rep.)

15 Section 5-45. The 21st Century Workforce Development Fund
16 Act is repealed.

17 (35 ILCS 5/507W rep.)

18 (35 ILCS 5/507UU rep.)

19 (35 ILCS 5/507VV rep.)

20 Section 5-50. The Illinois Income Tax Act is amended by
21 repealing Sections 507W, 507UU, and 507VV.

22 (65 ILCS 120/Act rep.)

23 Section 5-55. The 2016 Olympic and Paralympic Games Act is

1 repealed.

2 Section 5-60. The Housing Authorities Act is amended by
3 changing Section 32 as follows:

4 (310 ILCS 10/32) (from Ch. 67 1/2, par. 27e)

5 Sec. 32. An Authority created pursuant to this Act may be
6 dissolved and its corporate status terminated in the following
7 manner: whenever the commissioners of an Authority adopt a
8 resolution to the effect that it has completed all projects
9 undertaken by it, or that it has undertaken no project and has
10 no project in contemplation, and that it has no other duties to
11 perform in its area of operation, it shall submit a certified
12 copy thereof to the governing body of the area of operation for
13 which it was initially created. If the governing body concurs
14 therein, it shall adopt an ordinance or resolution in support
15 thereof and transmit a certified copy thereof, together with
16 the certified copy of the resolution of the Authority, to the
17 Department. The Department shall audit the financial records of
18 the Authority and if the Authority has not been the recipient
19 of funds from the State of Illinois, or if it has received such
20 funds and fully expended the same in the exercise of its
21 statutory powers, and if no judicial action is then pending in
22 which the Authority, or the Commissioners thereof in their
23 official capacity, is a party, and if the Authority is not a
24 party to any unexecuted contract or agreement, oral or written,

1 in which a monetary claim may be asserted against it by any
2 person, firm or corporation, it shall issue a Certificate of
3 Dissolution, attested by the Director of the Department, and
4 file the same for record in the office of the recorder in the
5 county in which the Authority is located.

6 If the Authority has in its possession or title public
7 funds which are or have been derived from grants made by the
8 State of Illinois, or any real or personal property acquired by
9 such state funds, and if no judicial action is pending or
10 contractual claims outstanding against such Authority as above
11 provided, the Department shall require the Authority to
12 transfer such funds to it, and to sell and liquidate its
13 interest in such real or personal property at a fair value to
14 be fixed by the Department and pay the proceeds thereof to the
15 Department. Upon compliance with such direction, the
16 Department shall issue, and file for recording, a Certificate
17 of Dissolution in the manner above provided. ~~All moneys~~
18 ~~received by the Department from the Authority shall forthwith~~
19 ~~be paid into the Housing Fund as provided in Section 46.1 of~~
20 ~~the "State Housing Act".~~

21 An Authority shall be deemed legally dissolved upon the
22 filing of the Certificate of Dissolution in the Office of the
23 recorder as herein provided. Such dissolution shall not affect
24 or impair the validity of any deed of conveyance theretofore
25 executed and delivered by the Authority. The dissolution of an
26 Authority shall not be a bar to the establishment of a new

1 Authority for the same area of operation in the manner provided
2 by Section 3 of this Act.

3 (Source: P.A. 83-358.)

4 Section 5-65. The Housing Development and Construction Act
5 is amended by changing Section 9a as follows:

6 (310 ILCS 20/9a) (from Ch. 67 1/2, par. 61a)

7 Sec. 9a. In the event that any housing authority or land
8 clearance commission has failed or refused to initiate any
9 project or projects for which it has received grants of State
10 funds under the provisions of this Act or "An Act to promote
11 the improvement of housing," approved July 26, 1945, and the
12 Department of Commerce and Economic Opportunity, upon the basis
13 of an investigation, is convinced that such housing authority
14 or land clearance commission is unable or unwilling to proceed
15 thereon, the Department may direct the housing authority or
16 land clearance commission to transfer to the Department the
17 balance of the State funds then in the possession of such
18 agency, and upon failure to do so within thirty days after such
19 demand, the Department shall institute a civil action for the
20 recovery thereof, which action shall be maintained by the
21 Attorney General of the State of Illinois or the state's
22 attorney of the county in which the housing authority or land
23 clearance commission has its area of operation.

24 Any officer or member of any such housing authority or land

1 clearance commission who refuses to comply with the demand of
2 the Department of Commerce and Economic Opportunity for the
3 transfer of State funds as herein provided shall be guilty of a
4 Class A misdemeanor.

5 ~~All State funds recovered by the Department of Commerce and~~
6 ~~Economic Opportunity pursuant to this section shall forthwith~~
7 ~~be paid into the State Housing Fund in the State Treasury.~~

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

9 (315 ILCS 5/25a rep.)

10 Section 5-70. The Blighted Areas Redevelopment Act of 1947
11 is amended by repealing Section 25a.

12 Section 5-75. The Older Adult Services Act is amended by
13 changing Section 30 as follows:

14 (320 ILCS 42/30)

15 Sec. 30. Nursing home conversion program.

16 (a) The Department of Public Health, in collaboration with
17 the Department on Aging and the Department of Healthcare and
18 Family Services, shall establish a nursing home conversion
19 program. Start-up grants, pursuant to subsections (l) and (m)
20 of this Section, shall be made available to nursing homes as
21 appropriations permit as an incentive to reduce certified beds,
22 retrofit, and retool operations to meet new service delivery
23 expectations and demands.

1 (b) Grant moneys shall be made available for capital and
2 other costs related to: (1) the conversion of all or a part of
3 a nursing home to an assisted living establishment or a special
4 program or unit for persons with Alzheimer's disease or related
5 disorders licensed under the Assisted Living and Shared Housing
6 Act or a supportive living facility established under Section
7 5-5.01a of the Illinois Public Aid Code; (2) the conversion of
8 multi-resident bedrooms in the facility into single-occupancy
9 rooms; and (3) the development of any of the services
10 identified in a priority service plan that can be provided by a
11 nursing home within the confines of a nursing home or
12 transportation services. Grantees shall be required to provide
13 a minimum of a 20% match toward the total cost of the project.

14 (c) Nothing in this Act shall prohibit the co-location of
15 services or the development of multifunctional centers under
16 subsection (f) of Section 20, including a nursing home offering
17 community-based services or a community provider establishing
18 a residential facility.

19 (d) A certified nursing home with at least 50% of its
20 resident population having their care paid for by the Medicaid
21 program is eligible to apply for a grant under this Section.

22 (e) Any nursing home receiving a grant under this Section
23 shall reduce the number of certified nursing home beds by a
24 number equal to or greater than the number of beds being
25 converted for one or more of the permitted uses under item (1)
26 or (2) of subsection (b). The nursing home shall retain the

1 Certificate of Need for its nursing and sheltered care beds
2 that were converted for 15 years. If the beds are reinstated by
3 the provider or its successor in interest, the provider shall
4 pay to the fund from which the grant was awarded, on an
5 amortized basis, the amount of the grant. The Department shall
6 establish, by rule, the bed reduction methodology for nursing
7 homes that receive a grant pursuant to item (3) of subsection
8 (b).

9 (f) Any nursing home receiving a grant under this Section
10 shall agree that, for a minimum of 10 years after the date that
11 the grant is awarded, a minimum of 50% of the nursing home's
12 resident population shall have their care paid for by the
13 Medicaid program. If the nursing home provider or its successor
14 in interest ceases to comply with the requirement set forth in
15 this subsection, the provider shall pay to the fund from which
16 the grant was awarded, on an amortized basis, the amount of the
17 grant.

18 (g) Before awarding grants, the Department of Public Health
19 shall seek recommendations from the Department on Aging and the
20 Department of Healthcare and Family Services. The Department of
21 Public Health shall attempt to balance the distribution of
22 grants among geographic regions, and among small and large
23 nursing homes. The Department of Public Health shall develop,
24 by rule, the criteria for the award of grants based upon the
25 following factors:

26 (1) the unique needs of older adults (including those

1 with moderate and low incomes), caregivers, and providers
2 in the geographic area of the State the grantee seeks to
3 serve;

4 (2) whether the grantee proposes to provide services in
5 a priority service area;

6 (3) the extent to which the conversion or transition
7 will result in the reduction of certified nursing home beds
8 in an area with excess beds;

9 (4) the compliance history of the nursing home; and

10 (5) any other relevant factors identified by the
11 Department, including standards of need.

12 (h) A conversion funded in whole or in part by a grant
13 under this Section must not:

14 (1) diminish or reduce the quality of services
15 available to nursing home residents;

16 (2) force any nursing home resident to involuntarily
17 accept home-based or community-based services instead of
18 nursing home services;

19 (3) diminish or reduce the supply and distribution of
20 nursing home services in any community below the level of
21 need, as defined by the Department by rule; or

22 (4) cause undue hardship on any person who requires
23 nursing home care.

24 (i) The Department shall prescribe, by rule, the grant
25 application process. At a minimum, every application must
26 include:

- 1 (1) the type of grant sought;
- 2 (2) a description of the project;
- 3 (3) the objective of the project;
- 4 (4) the likelihood of the project meeting identified
5 needs;
- 6 (5) the plan for financing, administration, and
7 evaluation of the project;
- 8 (6) the timetable for implementation;
- 9 (7) the roles and capabilities of responsible
10 individuals and organizations;
- 11 (8) documentation of collaboration with other service
12 providers, local community government leaders, and other
13 stakeholders, other providers, and any other stakeholders
14 in the community;
- 15 (9) documentation of community support for the
16 project, including support by other service providers,
17 local community government leaders, and other
18 stakeholders;
- 19 (10) the total budget for the project;
- 20 (11) the financial condition of the applicant; and
- 21 (12) any other application requirements that may be
22 established by the Department by rule.
- 23 (j) A conversion project funded in whole or in part by a
24 grant under this Section is exempt from the requirements of the
25 Illinois Health Facilities Planning Act. The Department of
26 Public Health, however, shall send to the Health Facilities and

1 Services Review Board a copy of each grant award made under
2 this Section.

3 (k) Applications for grants are public information, except
4 that nursing home financial condition and any proprietary data
5 shall be classified as nonpublic data.

6 (l) The Department of Public Health may award grants from
7 the Long Term Care Civil Money Penalties Fund established under
8 Section 1919(h) (2) (A) (ii) of the Social Security Act and 42 CFR
9 488.422(g) if the award meets federal requirements.

10 (m) (Blank). ~~The Nursing Home Conversion Fund is created as~~
11 ~~a special fund in the State treasury. Moneys appropriated by~~
12 ~~the General Assembly or transferred from other sources for the~~
13 ~~purposes of this Section shall be deposited into the Fund. All~~
14 ~~interest earned on moneys in the fund shall be credited to the~~
15 ~~fund. Moneys contained in the fund shall be used to support the~~
16 ~~purposes of this Section.~~

17 (Source: P.A. 95-331, eff. 8-21-07; 96-31, eff. 6-30-09;
18 96-758, eff. 8-25-09; 96-1000, eff. 7-2-10.)

19 Section 5-80. The Illinois Prescription Drug Discount
20 Program Act is amended by adding Sections 55 and 60 as follows:

21 (320 ILCS 55/55 new)

22 Sec. 55. Unexpended funds. Notwithstanding any other
23 provision of law, in addition to any other transfers that may
24 be provided by law, on July 1, 2016, or as soon thereafter as

1 practical, the State Comptroller shall direct and the State
2 Treasurer shall transfer the remaining balance from the
3 Illinois Prescription Drug Discount Program Fund into the
4 General Revenue Fund. Upon completion of the transfers, the
5 Illinois Prescription Drug Discount Program Fund is dissolved,
6 and any future deposits due to that Fund and any outstanding
7 obligations or liabilities of that Fund pass to the General
8 Revenue Fund.

9 (320 ILCS 55/60 new)

10 Sec. 60. Repeal. This Act is repealed on October 1, 2016.

11 Section 5-85. The Cigarette Fire Safety Standard Act is
12 amended by changing Section 45 as follows:

13 (425 ILCS 8/45)

14 Sec. 45. Penalties; ~~Cigarette Fire Safety Standard Act~~
15 ~~Fund.~~

16 (a) Any manufacturer, wholesale dealer, agent, or other
17 person or entity who knowingly sells cigarettes wholesale in
18 violation of item (3) of subsection (a) of Section 10 of this
19 Act shall be subject to a civil penalty not to exceed \$10,000
20 for each sale of the cigarettes. Any retail dealer who
21 knowingly sells cigarettes in violation of Section 10 of this
22 Act shall be subject to the following: (i) a civil penalty not
23 to exceed \$500 for each sale or offer for sale of cigarettes,

1 provided that the total number of cigarettes sold or offered
2 for sale in such sale does not exceed 1,000 cigarettes; (ii) a
3 civil penalty not to exceed \$1,000 for each sale or offer for
4 sale of the cigarettes, provided that the total number of
5 cigarettes sold or offered for sale in such sale exceeds 1,000
6 cigarettes.

7 (b) In addition to any penalty prescribed by law, any
8 corporation, partnership, sole proprietor, limited
9 partnership, or association engaged in the manufacture of
10 cigarettes that knowingly makes a false certification pursuant
11 to Section 30 of this Act shall be subject to a civil penalty
12 not to exceed \$10,000 for each false certification.

13 (c) Upon discovery by the Office of the State Fire Marshal,
14 the Department of Revenue, the Office of the Attorney General,
15 or a law enforcement agency that any person offers, possesses
16 for sale, or has made a sale of cigarettes in violation of
17 Section 10 of this Act, the Office of the State Fire Marshal,
18 the Department of Revenue, the Office of the Attorney General,
19 or the law enforcement agency may seize those cigarettes
20 possessed in violation of this Act.

21 (d) The Cigarette Fire Safety Standard Act Fund is
22 established as a special fund in the State treasury. The Fund
23 shall consist of all moneys recovered by the Attorney General
24 from the assessment of civil penalties authorized by this
25 Section. The moneys in the Fund shall, in addition to any
26 moneys made available for such purpose, be available, subject

1 to appropriation, to the Office of the State Fire Marshal for
2 the purpose of fire safety and prevention programs.

3 (e) Notwithstanding any other provision of law, in addition
4 to any other transfers that may be provided by law, on July 1,
5 2016, or as soon thereafter as practical, the State Comptroller
6 shall direct and the State Treasurer shall transfer the
7 remaining balance from the Cigarette Fire Safety Standard Act
8 Fund into the General Revenue Fund. Upon completion of the
9 transfers, the Cigarette Fire Safety Standard Act Fund is
10 dissolved, and any future deposits due to that Fund and any
11 outstanding obligations or liabilities of that Fund pass to the
12 General Revenue Fund.

13 (Source: P.A. 94-775, eff. 1-1-08.)

14 (625 ILCS 5/12-601.2 rep.)

15 Section 5-90. The Illinois Vehicle Code is amended by
16 repealing Section 12-601.2.

17 Section 5-95. The Gang Crime Witness Protection Act of 2013
18 is amended by changing Section 20 as follows:

19 (725 ILCS 173/20)

20 Sec. 20. Gang Crime Witness Protection Program Fund. There
21 is created in the State Treasury the Gang Crime Witness
22 Protection Program Fund into which shall be deposited
23 appropriated funds, grants, or other funds made available to

1 the Illinois Criminal Justice Information Authority to assist
2 State's Attorneys and the Attorney General in protecting
3 victims and witnesses who are aiding in the prosecution of
4 perpetrators of gang crime, and appropriate related persons.
5 ~~Within 30 days after the effective date of this Act, all moneys~~
6 ~~in the Gang Crime Witness Protection Fund shall be transferred~~
7 ~~into the Gang Crime Witness Protection Program Fund.~~

8 (Source: P.A. 98-58, eff. 7-8-13.)

9 ARTICLE 10.

10 MANDATE RELIEF

11 Section 10-5. The Family Farm Assistance Act is amended by
12 changing Section 25 as follows:

13 (20 ILCS 660/25) (from Ch. 5, par. 2725)

14 Sec. 25. Powers, ~~duties~~. The Department has the following
15 powers ~~and duties~~:

16 (a) The Department may ~~shall~~ establish and coordinate a
17 Farm Family Assistance Program.

18 (b) The Department may ~~shall~~ establish guidelines to
19 identify farmers, farm families, and farm workers who are
20 eligible for the program.

21 (c) The Department may ~~shall~~ identify and assess the needs
22 of eligible farmers, farm families, and farm workers and may
23 ~~shall~~ coordinate or provide reemployment services such as

1 outreach, counseling, vocational assessment, classroom
2 training, on-the-job training, job search assistance,
3 placement, supportive services, and follow-up, so that the
4 farmers may remain in farming or find other employment if
5 farming is no longer an option.

6 (d) The Department may adopt, amend, or repeal such rules
7 and regulations as may be necessary to administer this Act.

8 (Source: P.A. 87-170.)

9 (20 ILCS 3405/20 rep.)

10 Section 10-10. The Historic Preservation Agency Act is
11 amended by repealing Section 20.

12 Section 10-15. The Local Legacy Act is amended by changing
13 Section 15 as follows:

14 (20 ILCS 3988/15)

15 Sec. 15. The Local Legacy Board. The Local Legacy Board is
16 created to administer the Program under this Act. The
17 membership of the Board shall be composed of the Director of
18 Natural Resources, the Director of Historic Preservation, and
19 the Director of Agriculture, or their respective designees. The
20 Board must choose a Chairperson to serve for 2 years on a
21 rotating basis. All members must be present for the Board to
22 conduct official business. The Departments must each furnish
23 technical support to the Board.

1 The Board has those powers necessary to carry out the
2 purposes of this Act, including, without limitation, the power
3 to:

4 (1) employ agents and employees necessary to carry out
5 the purposes of this Act and fix their compensation,
6 benefits, terms, and conditions of employment;

7 (2) adopt, alter and use a corporate seal;

8 (3) have an audit made of the accounts of any grantee
9 or any person or entity that receives funding under this
10 Act;

11 (4) enforce the terms of any grant made under this Act,
12 whether in law or equity, or by any other legal means;

13 (5) prepare and submit a budget and request for
14 appropriations for the necessary and contingent operating
15 expenses of the Board; and

16 (6) receive and accept, from any source, aid or
17 contributions of money, property, labor, or other items of
18 value for furtherance of any of its purposes, subject to
19 any conditions not inconsistent with this Act or with the
20 laws of this State pertaining to those contributions,
21 including, but not limited to, gifts, guarantees, or grants
22 from any department, agency, or instrumentality of the
23 United States of America.

24 The Board may ~~must~~ adopt any rules, regulations,
25 guidelines, and directives necessary to implement the Act,
26 including guidelines for designing inventories so that they

1 will be compatible with each other.

2 The Board must submit a report to the General Assembly and
3 the Governor by January 1, 2005 and every 2 years thereafter
4 regarding progress made towards accomplishing the purposes of
5 this Act, except that beginning on the effective date of this
6 amendatory Act of the 99th General Assembly, the Board shall
7 submit a report only if significant progress has been made
8 since the previous report.

9 (Source: P.A. 93-328, eff. 1-1-04.)

10 (110 ILCS 935/4.08 rep.)

11 Section 10-20. The Family Practice Residency Act is amended
12 by repealing Section 4.08.

13 ARTICLE 99.

14 SEVERABILITY; EFFECTIVE DATE

15 Section 99-97. Severability. The provisions of this Act are
16 severable under Section 1.31 of the Statute on Statutes.

17 Section 99-99. Effective date. This Act takes effect upon
18 becoming law."