

1 AN ACT concerning tourism.

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

4 Section 10. The Department of Commerce and Community  
5 Affairs Law of the Civil Administrative Code of Illinois is  
6 amended by changing Sections 605-705 and 605-710 as follows:

7 (20 ILCS 605/605-705) (was 20 ILCS 605/46.6a)

8 Sec. 605-705. Grants to local tourism and convention  
9 bureaus.

10 (a) To establish a grant program for local tourism and  
11 convention bureaus. The Department will develop and  
12 implement a program for the use of funds, as authorized under  
13 this Act, by local tourism and convention bureaus. For the  
14 purposes of this Act, bureaus eligible to receive funds are  
15 those local tourism and convention bureaus that are (i)  
16 either units of local government or incorporated as  
17 not-for-profit organizations; (ii) in legal existence for a  
18 minimum of 2 years before July 1, 2001; (iii) operating with  
19 a paid, full-time staff whose sole purpose is to promote  
20 tourism in the designated service area; and (iv) affiliated  
21 with one or more municipalities or counties that support the  
22 bureau with local hotel-motel taxes. After July 1, 2001,  
23 bureaus requesting certification in order to receive funds  
24 for the first time must be local tourism and convention  
25 bureaus that are (i) either units of local government or  
26 incorporated as not-for-profit organizations; (ii) in legal  
27 existence for a minimum of 2 years before the request for  
28 certification; (iii) operating with a paid, full-time staff  
29 whose sole purpose is to promote tourism in the designated  
30 service area; and (iv) affiliated with multiple  
31 municipalities or counties that support the bureau with local

1 ~~hotel-motel taxes~~ bureaus--eligible--to--receive--funds--are  
 2 defined--as--those--bureaus--in--legal--existence--as--of--January--1,  
 3 1985--that--are--either--a--unit--of--local--government--or  
 4 incorporated--as--a--not--for--profit--organization,--are--affiliated  
 5 with--at--least--one--municipality--or--county,--and--employ--one--full  
 6 time--staff--person--whose--purpose--is--to--promote--tourism. Each  
 7 bureau receiving funds under this Act will be certified by  
 8 the Department as the designated recipient to serve an area  
 9 of the State. ~~These funds may not be used in support of the~~  
 10 ~~Chicago World's Fair.~~

11 (b) To distribute grants to local tourism and convention  
 12 bureaus from appropriations made from the Local Tourism Fund  
 13 for that purpose. Of the amounts appropriated annually to  
 14 the Department for expenditure under this Section, one-third  
 15 of those monies shall be used for grants to convention and  
 16 tourism bureaus in cities with a population greater than  
 17 500,000. The remaining two-thirds of the annual  
 18 appropriation shall be used for grants to convention and  
 19 tourism bureaus in the remainder of the State, in accordance  
 20 with a formula based upon the population served. The  
 21 Department may reserve up to 10% of the total appropriated to  
 22 conduct audits of grants, to provide incentive funds to those  
 23 bureaus that will conduct promotional activities designed to  
 24 further the Department's statewide advertising campaign, to  
 25 fund special statewide promotional activities, and to fund  
 26 promotional activities that support an increased use of the  
 27 State's parks or historic sites.

28 (Source: P.A. 90-26, eff. 7-1-97; 91-239, eff. 1-1-00;  
 29 91-357, eff. 7-29-99; revised 8-4-99.)

30 (20 ILCS 605/605-710)  
 31 Sec. 605-710. Regional tourism development  
 32 organizations. The Department may, subject to appropriation,  
 33 provide grants ~~contraetual-funding~~ from the Tourism Promotion

1 Fund for the administrative costs of not-for-profit regional  
 2 tourism development organizations that assist the Department  
 3 in developing tourism throughout a multi-county geographical  
 4 area designated by the Department. Regional tourism  
 5 development organizations receiving funds under this Section  
 6 may be required by the Department to submit to audits of  
 7 contracts awarded by the Department to determine whether the  
 8 regional tourism development organization has performed all  
 9 contractual obligations under those contracts.

10 Every employee of a regional tourism development  
 11 organization receiving funds under this Section shall  
 12 disclose to the organization's governing board and to the  
 13 Department any economic interest that employee may have in  
 14 any entity with which the regional tourism development  
 15 organization has contracted or to which the regional tourism  
 16 development organization has granted funds.

17 (Source: P.A. 90-26, eff. 7-1-97; 90-655, eff. 7-30-98;  
 18 91-239, eff. 1-1-00.)

19 Section 15. The Illinois Promotion Act is amended by  
 20 changing Sections 1, 2, 3, 4, 4a, 5, 7, 8a, 9, 10, 11, 13,  
 21 13a, and 14 as follows:

22 (20 ILCS 665/1) (from Ch. 127, par. 200-21)

23 Sec. 1. Short title. This Act shall be known and cited as  
 24 the Illinois Promotion Act.

25 (Source: Laws 1963, p. 2209.)

26 (20 ILCS 665/2) (from Ch. 127, par. 200-22)

27 Sec. 2. Legislative findings; policy. The General  
 28 Assembly hereby finds, determines and declares:

29 (a) That the health, safety, morals and general welfare  
 30 of the people of the State are directly dependent upon the  
 31 continual encouragement, development, growth and expansion of

1 tourism within the State;

2 (b) That unemployment, the spread of indigency, and the  
3 heavy burden of public assistance and unemployment  
4 compensation can be alleviated by the promotion, attraction,  
5 stimulation, development and expansion of tourism in the  
6 State;

7 (c) That the policy of the State of Illinois, in the  
8 interest of promoting the health, safety, morals and welfare  
9 of all the people of the State, is to increase the economic  
10 impact of tourism ~~job--opportunities~~ throughout the State  
11 through promotional activities and by making available grants  
12 and loans to be made to local promotion groups and others, as  
13 provided in Sections 5 and 8a of this Act, for ~~promotional~~  
14 purposes of promoting, developing, and expanding tourism  
15 destinations, tourism attractions, and tourism events.

16 (Source: Laws 1967, p. 4097.)

17 (20 ILCS 665/3) (from Ch. 127, par. 200-23)

18 Sec. 3. Definitions. The following words and terms,  
19 whenever used or referred to in this Act, shall have the  
20 following meanings, except where the context may otherwise  
21 require:

22 (a) "Department" means the Department of Commerce and  
23 Community Affairs of the State of Illinois.

24 (b) "Local promotion group" means any non-profit  
25 corporation, organization, association, agency or committee  
26 thereof formed for the primary purpose of publicizing,  
27 promoting, advertising or otherwise encouraging the  
28 development of tourism in any municipality, county, or region  
29 of Illinois.

30 (c) "Promotional activities" means preparing, planning  
31 and conducting campaigns of information, advertising and  
32 publicity through such media as newspapers, radio,  
33 television, magazines, trade journals, moving and still

1 photography, posters, outdoor signboards and personal contact  
 2 within and without the State of Illinois; dissemination of  
 3 information, advertising, publicity, photographs and other  
 4 literature and material designed to carry out the purpose of  
 5 this Act; and participation in and attendance at meetings and  
 6 conventions concerned primarily with tourism, including  
 7 travel to and from such meetings.

8 (d) "Municipality" means "municipality" as defined in  
 9 Section 1-1-2 of the Illinois Municipal Code, as heretofore  
 10 and hereafter amended.

11 (e) "Tourism" means travel 50 miles or more one-way or  
 12 an overnight trip outside of a person's normal routine.

13 (Source: P.A. 81-1509.)

14 (20 ILCS 665/4) (from Ch. 127, par. 200-24)

15 Sec. 4. Powers. The Department shall have the following  
 16 powers:

17 (a) To formulate a program for the promotion of tourism  
 18 and the film industry in the State of Illinois, including,  
 19 but not limited to, the promotion of our State Parks, fishing  
 20 and hunting areas, historical shrines, vacation regions and  
 21 areas of historic or scenic interest.

22 (b) To cooperate with civic groups and local, State and  
 23 federal departments and agencies, and agencies and  
 24 departments of other states in encouraging educational  
 25 tourism and developing programs therefor.

26 (c) To publish tourist promotional material such as  
 27 brochures and booklets.

28 (d) To promote tourism in Illinois through all media,  
 29 including but not limited to, the Internet, television, by  
 30 articles and advertisements in magazines, newspapers and  
 31 travel publications and by establishing promotional  
 32 exhibitions at fairs, travel shows, and similar exhibitions.

33 (e) To establish and maintain travel offices at major

1 points of entry to the State.

2 (f) To recommend legislation relating to the  
3 encouragement of tourism in Illinois.

4 (g) To assist municipalities or local promotion groups in  
5 developing new tourist attractions including but not limited  
6 to feasibility studies and analyses, research and  
7 development, and management and marketing planning for such  
8 new tourist attractions.

9 (h) (Blank). ~~To do such other acts as shall, in the  
10 judgment of the Department, be necessary and proper in  
11 fostering and promoting tourism in the State of Illinois.~~

12 (i) To implement a program of matching grants and loans  
13 to counties, municipalities, or local promotion groups and  
14 others, as provided in Sections 5 and 8a of this Act, ~~loans~~  
15 ~~to for-profit businesses~~ for the development or improvement  
16 of tourism attractions and tourism events in Illinois under  
17 the terms and conditions provided in this Act.

18 (j) To expend funds from the International and  
19 Promotional Fund, subject to appropriation, on any activity  
20 authorized under this Act.

21 (k) To do any other acts that, in the judgment of the  
22 Department, are necessary and proper in fostering and  
23 promoting tourism in the State of Illinois.

24 (Source: P.A. 90-26, eff. 7-1-97; 91-357, eff. 7-29-99.)

25 (20 ILCS 665/4a) (from Ch. 127, par. 200-24a)  
26 Sec. 4a. Funds.

27 (1) ~~As soon as possible after the first day of each~~  
28 ~~month, beginning July 1, 1978 and ending June 30, 1997, upon~~  
29 ~~certification of the Department of Revenue, the Comptroller~~  
30 ~~shall order transferred and the Treasurer shall transfer from~~  
31 ~~the General Revenue Fund to a special fund in the State~~  
32 ~~Treasury, to be known as the "Tourism Promotion Fund", an~~  
33 ~~amount equal to 10% of the net revenue realized from "The~~

1 Hotel-Operators'-Occupation-Tax-Act",--as--now--or--hereafter  
 2 amended,--plus--an--amount--equal--to--10%--of--the--net--revenue  
 3 realized--from--any--tax--imposed--under--Section--4.05--of--the  
 4 Chicago--World's--Fair----1992--Authority--Act,--as--now--or  
 5 hereafter--amended,--during--the--preceding--month.-Net-revenue  
 6 realized--for--a--month--shall--be--the--revenue--collected--by--the  
 7 State--pursuant--to--that--Act--during--the--previous--month--less--the  
 8 amount--paid--out--during--that--same--month--as--refunds--to  
 9 taxpayers--for--overpayment--of--liability--under--that--Act.

10 All moneys deposited in the Tourism Promotion Fund  
 11 pursuant to this subsection are allocated to the Department  
 12 for utilization, as appropriated, in the performance of its  
 13 powers under Section 4.

14 As soon as possible after the first day of each month,  
 15 beginning July 1, 1997, upon certification of the Department  
 16 of Revenue, the Comptroller shall order transferred and the  
 17 Treasurer shall transfer from the General Revenue Fund to the  
 18 Tourism Promotion Fund an amount equal to 13% of the net  
 19 revenue realized from the Hotel Operators' Occupation Tax Act  
 20 plus an amount equal to 13% of the net revenue realized from  
 21 any tax imposed under Section 4.05 of the Chicago World's  
 22 Fair-1992 Authority Act during the preceding month. "Net  
 23 revenue realized for a month" means the revenue collected by  
 24 the State under that Act during the previous month less the  
 25 amount paid out during that same month as refunds to  
 26 taxpayers for overpayment of liability under that Act.

27 (1.1) (Blank).

28 (2) As soon as possible after the first day of each  
 29 month, beginning July 1, 1997, upon certification of the  
 30 Department of Revenue, the Comptroller shall order  
 31 transferred and the Treasurer shall transfer from the General  
 32 Revenue Fund to the Tourism Promotion Fund an amount equal to  
 33 8% of the net revenue realized from the Hotel Operators'  
 34 Occupation Tax plus an amount equal to 8% of the net revenue

1 realized from any tax imposed under Section 4.05 of the  
2 Chicago World's Fair-1992 Authority Act during the preceding  
3 month. "Net revenue realized for a month" means the revenue  
4 collected by the State under that Act during the previous  
5 month less the amount paid out during that same month as  
6 refunds to taxpayers for overpayment of liability under that  
7 Act.

8 All monies deposited in the Tourism Promotion Fund under  
9 this subsection (2) shall be used solely as provided in this  
10 subsection to advertise and promote tourism throughout  
11 Illinois. Appropriations of monies deposited in the Tourism  
12 Promotion Fund pursuant to this subsection (2) shall be used  
13 solely for advertising to promote tourism, including but not  
14 limited to advertising production and direct advertisement  
15 costs, but shall not be used to employ any additional staff,  
16 finance any individual event, or lease, rent or purchase any  
17 physical facilities. The Department shall coordinate its  
18 advertising under this subsection (2) with other public and  
19 private entities in the State engaged in similar promotion  
20 activities. Print or electronic media production made  
21 pursuant to this subsection (2) for advertising promotion  
22 shall not contain or include the physical appearance of or  
23 reference to the name or position of any public officer.  
24 "Public officer" means a person who is elected to office  
25 pursuant to statute, or who is appointed to an office which  
26 is established, and the qualifications and duties of which  
27 are prescribed, by statute, to discharge a public duty for  
28 the State or any of its political subdivisions.

29 (Source: P.A. 90-26, eff. 7-1-97; 90-77, eff. 7-8-97; 90-655,  
30 eff. 7-30-98; 91-472, eff. 8-10-99.)

31 (20 ILCS 665/5) (from Ch. 127, par. 200-25)

32 Sec. 5. Marketing and private sector programs.

33 (a) The Department is authorized to make grants, subject

1 to appropriation, from funds transferred into the Tourism  
 2 Promotion Fund under subsection (1) of Section 4a to  
 3 counties, municipalities, not-for-profit organizations and  
 4 local promotion groups and to assist such counties,  
 5 municipalities and local promotion groups in the promotion of  
 6 tourism attractions and tourism events their promotional  
 7 activities. The Department, after review of the application  
 8 and if satisfied that the program and proposed expenditures  
 9 of the applicant appear to be in accord with the purposes of  
 10 this Act, must grant to the applicant an amount not to exceed  
 11 60% of the proposed expenditures.

12 (b) The Department may make grants, subject to  
 13 appropriation, from funds transferred into the Tourism  
 14 Promotion Fund under subsection (1) of Section 4a to  
 15 counties, municipalities, not-for-profit organizations, local  
 16 promotion groups, and for-profit businesses to assist in  
 17 attracting and hosting tourism events matched with funds from  
 18 sources in the private sector. The Department, after review  
 19 of the application and if satisfied that the program  
 20 and proposed expenditures of the applicant appear to be in  
 21 accord with the purposes of this Act, must grant to the  
 22 applicant an amount not to exceed 50% of the proposed  
 23 expenditures.

24 Before any such grant may be made the county,  
 25 municipality, not-for-profit organization, or local promotion  
 26 group, or for-profit business, ~~---pursuant---to---an---order,~~  
 27 ~~resolution,~~ ~~---ordinance---or---other---appropriate---action---of---its~~  
 28 ~~governing-body,~~ must make application to the Department for  
 29 such grant, setting forth the studies, surveys and  
 30 investigations proposed to be made and other promotional  
 31 activities proposed to be undertaken. The application shall  
 32 further state, under oath or affirmation, with evidence  
 33 thereof satisfactory to the Department, the amount of funds  
 34 held by, committed to or subscribed to, and proposed to be

1 expended by, the applicant for the purposes herein described  
2 and the amount of the grant for which application is made.

3 ~~The Department shall make grants from funds transferred~~  
4 ~~into the Tourism Promotion Fund under subsection (1) of~~  
5 ~~Section 4a to match funds appropriated or otherwise allocated~~  
6 ~~by counties, municipalities and local promotion groups~~  
7 ~~subsequent to the effective date of this Act. The Department~~  
8 ~~shall make grants from funds transferred into the Tourism~~  
9 ~~Promotion Fund under subsection (1) of Section 4a only to~~  
10 ~~match funds from sources in the private sector.~~

11 (Source: P.A. 90-26, eff. 7-1-97.)

12 (20 ILCS 665/7) (from Ch. 127, par. 200-27)

13 Sec. 7. Notice of approval and grant. Upon approval of  
14 each application and the making of a grant by the Department  
15 in accordance therewith, the Department shall give notice to  
16 the applicant of such approval and grant, and shall direct  
17 the applicant to proceed with its proposed tourism  
18 ~~promotional~~ program as described in its application and to  
19 use the funds allocated by the applicant for such purpose.  
20 Upon the furnishing of satisfactory evidence to the  
21 Department that the applicant has so proceeded, the grant  
22 allocated to such applicant shall be paid over on such basis  
23 to the applicant by the Department.

24 (Source: Laws 1967, p. 4097.)

25 (20 ILCS 665/8a) (from Ch. 127, par. 200-28a)

26 Sec. 8a. Tourism grants and loans; fund.

27 (1) The Department is authorized to make grants and  
28 loans, subject to appropriations by the General Assembly for  
29 this purpose from the Tourism Promotion Fund or the Tourism  
30 Attraction Development Matching Grant Fund, to counties,  
31 municipalities, local promotion groups, not-for-profit  
32 organizations, or for-profit businesses for the development

1 or improvement of tourism attractions in Illinois.  
 2 Individual These grants and loans shall not exceed \$1,000,000  
 3 and shall not exceed 50% of the entire amount of the actual  
 4 expenditures for the development or improvement of a tourist  
 5 attraction. Agreements for loans made by the Department  
 6 pursuant to this subsection may contain provisions regarding  
 7 term, interest rate, security as may be required by the  
 8 Department and any other provisions the Department may  
 9 require to protect the State's interest.

10 (2) There is hereby created a special fund in the State  
 11 Treasury to be known as the Tourism Attraction Development  
 12 Matching Grant Fund. The deposit of monies into this fund  
 13 shall be limited to the repayments of principal and interest  
 14 from loans made pursuant to subsection (1).

15 (Source: P.A. 91-683, eff. 1-26-00.)

16 (20 ILCS 665/9) (from Ch. 127, par. 200-29)

17 Sec. 9. Administration; rules. The Department is directed  
 18 to administer the provisions of this Act with such  
 19 flexibility so as to bring about as effective and economical  
 20 a tourism ~~promotion~~ program as possible. In order to  
 21 effectuate and enforce the provisions of this Act, the  
 22 Department is authorized to promulgate necessary rules and  
 23 regulations and prescribe procedures in order to assure  
 24 compliance by applicants in carrying out the purposes for  
 25 which grants and loans may be made under this Act.

26 (Source: Laws 1967, p. 4097.)

27 (20 ILCS 665/10) (from Ch. 127, par. 200-30)

28 Sec. 10. Quarterly statement. The Department shall  
 29 submit quarterly to the Governor and to the State Comptroller  
 30 a statement on promotional activities undertaken under the  
 31 terms of this Act.

32 (Source: P.A. 78-592.)

1 (20 ILCS 665/11) (from Ch. 127, par. 200-31)

2 Sec. 11. Promotional material. Any promotional material  
3 produced as the result of the financial participation of the  
4 State of Illinois under the terms of this Act shall so  
5 indicate thereon.

6 (Source: Laws 1963, p. 2209.)

7 (20 ILCS 665/13) (from Ch. 127, par. 200-33)

8 Sec. 13. Powers of municipalities and counties. For the  
9 purposes set out in this Act, the corporate authorities of  
10 each city, village or incorporated town and the county board  
11 of each county may (1) promote the advantages of the  
12 municipality or county, as the case may be, for tourism,  
13 industrial development and other activities and programs  
14 designed to stimulate employment, (2) appropriate funds for  
15 promotional activities and programs, (3) accept gifts and  
16 grants to be used for promotional purposes, and (4) join with  
17 other municipalities, counties, and local promotion groups in  
18 promotional activities and programs.

19 (Source: Laws 1963, p. 2209.)

20 (20 ILCS 665/13a) (from Ch. 127, par. 200-33a)

21 Sec. 13a. Affirmative action. The Department shall,  
22 within 90 days after the effective date of this amendatory  
23 Act of 1984, establish and maintain an affirmative action  
24 program designed to promote equal employment opportunity and  
25 eliminate the effects of past discrimination. Such program  
26 shall include a plan which shall specify goals and methods  
27 for increasing participation by women and minorities in  
28 employment by parties which receive funds pursuant to this  
29 Act. The Department shall submit a detailed plan with the  
30 General Assembly prior to March 1 of each year. Such program  
31 shall also establish procedures to ensure compliance with the  
32 plan established pursuant to this Section and with State and

1 federal laws and regulations relating to the employment of  
2 women and minorities.

3 (Source: P.A. 83-1129.)

4 (20 ILCS 665/14) (from Ch. 127, par. 200-34)

5 Sec. 14. Severability. If any section, subdivision,  
6 sentence or clause of this Act is for any reason held invalid  
7 or unconstitutional, such decision shall not affect the  
8 validity of the remaining portions of this Act.

9 (Source: Laws 1963, p. 2209.)

10 (20 ILCS 665/6 rep.)

11 Section 20. The Illinois Promotion Act is amended by  
12 repealing Section 6.

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