

1 AMENDMENT TO SENATE BILL 926

2 AMENDMENT NO. _____. Amend Senate Bill 926 on page 1,
3 line 6, by replacing "Section 605-707" with "Sections
4 605-705, 605-707, and 605-710"; and

5 on page 1, immediately below line 6, by inserting the
6 following:

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,

1 bureaus requesting certification in order to receive funds
2 for the first time must be local tourism and convention
3 bureaus that are (i) either units of local government or
4 incorporated as not-for-profit organizations; (ii) in legal
5 existence for a minimum of 2 years before the request for
6 certification; (iii) operating with a paid, full-time staff
7 whose sole purpose is to promote tourism in the designated
8 service area; and (iv) affiliated with multiple
9 municipalities or counties that support the bureau with local
10 hotel-motel taxes bureaus--eligible--to--receive--funds--are
11 defined--as--those--bureaus--in--legal--existence--as--of--January--17,
12 1985--that--are--either--a--unit--of--local--government--or
13 incorporated--as--a--not--for--profit--organization,--are--affiliated
14 with--at--least--one--municipality--or--county,--and--employ--one--full
15 time--staff--person--whose--purpose--is--to--promote--tourism. Each
16 bureau receiving funds under this Act will be certified by
17 the Department as the designated recipient to serve an area
18 of the State. These-funds-may-not-be-used-in-support--of--the
19 Chicago-World's-Fair.

20 (b) To distribute grants to local tourism and convention
21 bureaus from appropriations made from the Local Tourism Fund
22 for that purpose. Of the amounts appropriated annually to
23 the Department for expenditure under this Section, one-third
24 of those monies shall be used for grants to convention and
25 tourism bureaus in cities with a population greater than
26 500,000. The remaining two-thirds of the annual
27 appropriation shall be used for grants to convention and
28 tourism bureaus in the remainder of the State, in accordance
29 with a formula based upon the population served. The
30 Department may reserve up to 10% of the total appropriated to
31 conduct audits of grants, to provide incentive funds to those
32 bureaus that will conduct promotional activities designed to
33 further the Department's statewide advertising campaign, to
34 fund special statewide promotional activities, and to fund

1 promotional activities that support an increased use of the
2 State's parks or historic sites.

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

5 on page 3, immediately below line 3, by inserting the
6 following:

7 "(20 ILCS 605/605-710)
8 Sec. 605-710. Regional tourism development
9 organizations. The Department may, subject to appropriation,
10 provide grants ~~contractual-funding~~ from the Tourism Promotion
11 Fund for the administrative costs of not-for-profit regional
12 tourism development organizations that assist the Department
13 in developing tourism throughout a multi-county geographical
14 area designated by the Department. Regional tourism
15 development organizations receiving funds under this Section
16 may be required by the Department to submit to audits of
17 contracts awarded by the Department to determine whether the
18 regional tourism development organization has performed all
19 contractual obligations under those contracts.

20 Every employee of a regional tourism development
21 organization receiving funds under this Section shall
22 disclose to the organization's governing board and to the
23 Department any economic interest that employee may have in
24 any entity with which the regional tourism development
25 organization has contracted or to which the regional tourism
26 development organization has granted funds.

27 (Source: P.A. 90-26, eff. 7-1-97; 90-655, eff. 7-30-98;
28 91-239, eff. 1-1-00.)

29 Section 10. The Illinois Promotion Act is amended by
30 changing Sections 1, 2, 3, 4, 4a, 5, 7, 8a, 9, 10, 11, 13,
31 13a, and 14 as follows:

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

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

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

5 (20 ILCS 665/2) (from Ch. 127, par. 200-22)

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

8 (a) That the health, safety, morals and general welfare
9 of the people of the State are directly dependent upon the
10 continual encouragement, development, growth and expansion of
11 tourism within the State;

12 (b) That unemployment, the spread of indigency, and the
13 heavy burden of public assistance and unemployment
14 compensation can be alleviated by the promotion, attraction,
15 stimulation, development and expansion of tourism in the
16 State;

17 (c) That the policy of the State of Illinois, in the
18 interest of promoting the health, safety, morals and welfare
19 of all the people of the State, is to increase the economic
20 impact of tourism ~~job--opportunities~~ throughout the State
21 through promotional activities and by making available grants
22 and loans to be made to local promotion groups and others, as
23 provided in Sections 5 and 8a of this Act, for ~~promotional~~
24 purposes of promoting, developing, and expanding tourism
25 destinations, tourism attractions, and tourism events.

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

27 (20 ILCS 665/3) (from Ch. 127, par. 200-23)

28 Sec. 3. Definitions. The following words and terms,
29 whenever used or referred to in this Act, shall have the
30 following meanings, except where the context may otherwise
31 require:

32 (a) "Department" means the Department of Commerce and

1 Community Affairs of the State of Illinois.

2 (b) "Local promotion group" means any non-profit
3 corporation, organization, association, agency or committee
4 thereof formed for the primary purpose of publicizing,
5 promoting, advertising or otherwise encouraging the
6 development of tourism in any municipality, county, or region
7 of Illinois.

8 (c) "Promotional activities" means preparing, planning
9 and conducting campaigns of information, advertising and
10 publicity through such media as newspapers, radio,
11 television, magazines, trade journals, moving and still
12 photography, posters, outdoor signboards and personal contact
13 within and without the State of Illinois; dissemination of
14 information, advertising, publicity, photographs and other
15 literature and material designed to carry out the purpose of
16 this Act; and participation in and attendance at meetings and
17 conventions concerned primarily with tourism, including
18 travel to and from such meetings.

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

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

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

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

26 Sec. 4. Powers. The Department shall have the following
27 powers:

28 (a) To formulate a program for the promotion of tourism
29 and the film industry in the State of Illinois, including,
30 but not limited to, the promotion of our State Parks, fishing
31 and hunting areas, historical shrines, vacation regions and
32 areas of historic or scenic interest.

33 (b) To cooperate with civic groups and local, State and

1 federal departments and agencies, and agencies and
2 departments of other states in encouraging educational
3 tourism and developing programs therefor.

4 (c) To publish tourist promotional material such as
5 brochures and booklets.

6 (d) To promote tourism in Illinois through all media,
7 including but not limited to, the Internet, television, by
8 articles and advertisements in magazines, newspapers and
9 travel publications and by establishing promotional
10 exhibitions at fairs, travel shows, and similar exhibitions.

11 (e) To establish and maintain travel offices at major
12 points of entry to the State.

13 (f) To recommend legislation relating to the
14 encouragement of tourism in Illinois.

15 (g) To assist municipalities or local promotion groups in
16 developing new tourist attractions including but not limited
17 to feasibility studies and analyses, research and
18 development, and management and marketing planning for such
19 new tourist attractions.

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

23 (i) To implement a program of matching grants and loans
24 to counties, municipalities, or local promotion groups and
25 others, as provided in Sections 5 and 8a of this Act, loans
26 ~~to for-profit businesses~~ for the development or improvement
27 of tourism attractions and tourism events in Illinois under
28 the terms and conditions provided in this Act.

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

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

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

2 (20 ILCS 665/4a) (from Ch. 127, par. 200-24a)

3 Sec. 4a. Funds.

4 (1) As soon as possible after the first day of each
5 month, beginning July 1, 1978 and ending June 30, 1997, upon
6 certification of the Department of Revenue, the Comptroller
7 shall order transferred and the Treasurer shall transfer from
8 the General Revenue Fund to a special fund in the State
9 Treasury, to be known as the "Tourism Promotion Fund", an
10 amount equal to 10% of the net revenue realized from "The
11 Hotel Operators' Occupation Tax Act", as now or hereafter
12 amended, plus an amount equal to 10% of the net revenue
13 realized from any tax imposed under Section 4.05 of the
14 Chicago World's Fair 1992 Authority Act, as now or
15 hereafter amended, during the preceding month. Net revenue
16 realized for a month shall be the revenue collected by the
17 State pursuant to that Act during the previous month less the
18 amount paid out during that same month as refunds to
19 taxpayers for overpayment of liability under that Act.

20 All moneys deposited in the Tourism Promotion Fund
21 pursuant to this subsection are allocated to the Department
22 for utilization, as appropriated, in the performance of its
23 powers under Section 4.

24 As soon as possible after the first day of each month,
25 beginning July 1, 1997, upon certification of the Department
26 of Revenue, the Comptroller shall order transferred and the
27 Treasurer shall transfer from the General Revenue Fund to the
28 Tourism Promotion Fund an amount equal to 13% of the net
29 revenue realized from the Hotel Operators' Occupation Tax Act
30 plus an amount equal to 13% of the net revenue realized from
31 any tax imposed under Section 4.05 of the Chicago World's
32 Fair-1992 Authority Act during the preceding month. "Net
33 revenue realized for a month" means the revenue collected by

1 the State under that Act during the previous month less the
2 amount paid out during that same month as refunds to
3 taxpayers for overpayment of liability under that Act.

4 (1.1) (Blank).

5 (2) As soon as possible after the first day of each
6 month, beginning July 1, 1997, upon certification of the
7 Department of Revenue, the Comptroller shall order
8 transferred and the Treasurer shall transfer from the General
9 Revenue Fund to the Tourism Promotion Fund an amount equal to
10 8% of the net revenue realized from the Hotel Operators'
11 Occupation Tax plus an amount equal to 8% of the net revenue
12 realized from any tax imposed under Section 4.05 of the
13 Chicago World's Fair-1992 Authority Act during the preceding
14 month. "Net revenue realized for a month" means the revenue
15 collected by the State under that Act during the previous
16 month less the amount paid out during that same month as
17 refunds to taxpayers for overpayment of liability under that
18 Act.

19 All monies deposited in the Tourism Promotion Fund under
20 this subsection (2) shall be used solely as provided in this
21 subsection to advertise and promote tourism throughout
22 Illinois. Appropriations of monies deposited in the Tourism
23 Promotion Fund pursuant to this subsection (2) shall be used
24 solely for advertising to promote tourism, including but not
25 limited to advertising production and direct advertisement
26 costs, but shall not be used to employ any additional staff,
27 finance any individual event, or lease, rent or purchase any
28 physical facilities. The Department shall coordinate its
29 advertising under this subsection (2) with other public and
30 private entities in the State engaged in similar promotion
31 activities. Print or electronic media production made
32 pursuant to this subsection (2) for advertising promotion
33 shall not contain or include the physical appearance of or
34 reference to the name or position of any public officer.

1 "Public officer" means a person who is elected to office
2 pursuant to statute, or who is appointed to an office which
3 is established, and the qualifications and duties of which
4 are prescribed, by statute, to discharge a public duty for
5 the State or any of its political subdivisions.

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

8 (20 ILCS 665/5) (from Ch. 127, par. 200-25)

9 Sec. 5. Marketing and private sector programs.

10 (a) The Department is authorized to make grants, subject
11 to appropriation, from funds transferred into the Tourism
12 Promotion Fund under subsection (1) of Section 4a to
13 counties, municipalities, not-for-profit organizations, and
14 local promotion groups and to assist such counties,
15 municipalities and local promotion groups in the promotion of
16 tourism attractions and tourism events their--promotional
17 activities. The Department, after review of the application
18 and if satisfied that the program and proposed expenditures
19 of the applicant appear to be in accord with the purposes of
20 this Act, must grant to the applicant an amount not to exceed
21 60% of the proposed expenditures.

22 (b) The Department may make grants, subject to
23 appropriation, from funds transferred into the Tourism
24 Promotion Fund under subsection (1) of Section 4a to
25 counties, municipalities, not-for-profit organizations, local
26 promotion groups, and for-profit businesses to assist in
27 attracting and hosting tourism events matched with funds from
28 sources in the private sector. The Department, after review
29 of the application and if satisfied that the program
30 and proposed expenditures of the applicant appear to be in
31 accord with the purposes of this Act, must grant to the
32 applicant an amount not to exceed 50% of the proposed
33 expenditures.

1 Before any such grant may be made the county,
 2 municipality, not-for-profit organization, or local promotion
 3 group, or for-profit business,~~---pursuant---to---an---order,~~
 4 ~~resolution, ordinance or other appropriate action of its~~
 5 ~~governing body,~~ must make application to the Department for
 6 such grant, setting forth the studies, surveys and
 7 investigations proposed to be made and other ~~promotional~~
 8 activities proposed to be undertaken. The application shall
 9 further state, under oath or affirmation, with evidence
 10 thereof satisfactory to the Department, the amount of funds
 11 held by, committed to or subscribed to, and proposed to be
 12 expended by, the applicant for the purposes herein described
 13 and the amount of the grant for which application is made.

14 ~~The Department shall make grants from funds transferred~~
 15 ~~into the Tourism Promotion Fund under subsection (1) of~~
 16 ~~Section 4a to match funds appropriated or otherwise allocated~~
 17 ~~by counties, municipalities and local promotion groups~~
 18 ~~subsequent to the effective date of this Act. The Department~~
 19 ~~shall make grants from funds transferred into the Tourism~~
 20 ~~Promotion Fund under subsection (1) of Section 4a only to~~
 21 ~~match funds from sources in the private sector.~~

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

23 (20 ILCS 665/7) (from Ch. 127, par. 200-27)

24 Sec. 7. Notice of approval and grant. Upon approval of
 25 each application and the making of a grant by the Department
 26 in accordance therewith, the Department shall give notice to
 27 the applicant of such approval and grant, and shall direct
 28 the applicant to proceed with its proposed tourism
 29 ~~promotional~~ program as described in its application and to
 30 use the funds allocated by the applicant for such purpose.
 31 Upon the furnishing of satisfactory evidence to the
 32 Department that the applicant has so proceeded, the grant
 33 allocated to such applicant shall be paid over on such basis

1 to the applicant by the Department.

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

3 (20 ILCS 665/8a) (from Ch. 127, par. 200-28a)

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

5 (1) The Department is authorized to make grants and
6 loans, subject to appropriations by the General Assembly for
7 this purpose from the Tourism Promotion Fund or the Tourism
8 Attraction Development Matching Grant Fund, to counties,
9 municipalities, local promotion groups, not-for-profit
10 organizations, or for-profit businesses for the development
11 or improvement of tourism attractions in Illinois.
12 Individual These grants and loans shall not exceed \$1,000,000
13 and shall not exceed 50% of the entire amount of the actual
14 expenditures for the development or improvement of a tourist
15 attraction. Agreements for loans made by the Department
16 pursuant to this subsection may contain provisions regarding
17 term, interest rate, security as may be required by the
18 Department and any other provisions the Department may
19 require to protect the State's interest.

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

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

26 (20 ILCS 665/9) (from Ch. 127, par. 200-29)

27 Sec. 9. Administration; rules. The Department is directed
28 to administer the provisions of this Act with such
29 flexibility so as to bring about as effective and economical
30 a tourism ~~promotion~~ program as possible. In order to
31 effectuate and enforce the provisions of this Act, the
32 Department is authorized to promulgate necessary rules and

1 regulations and prescribe procedures in order to assure
2 compliance by applicants in carrying out the purposes for
3 which grants and loans may be made under this Act.

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

5 (20 ILCS 665/10) (from Ch. 127, par. 200-30)

6 Sec. 10. Quarterly statement. The Department shall
7 submit quarterly to the Governor and to the State Comptroller
8 a statement on promotional activities undertaken under the
9 terms of this Act.

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

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

12 Sec. 11. Promotional material. Any promotional material
13 produced as the result of the financial participation of the
14 State of Illinois under the terms of this Act shall so
15 indicate thereon.

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

17 (20 ILCS 665/13) (from Ch. 127, par. 200-33)

18 Sec. 13. Powers of municipalities and counties. For the
19 purposes set out in this Act, the corporate authorities of
20 each city, village or incorporated town and the county board
21 of each county may (1) promote the advantages of the
22 municipality or county, as the case may be, for tourism,
23 industrial development and other activities and programs
24 designed to stimulate employment, (2) appropriate funds for
25 promotional activities and programs, (3) accept gifts and
26 grants to be used for promotional purposes, and (4) join with
27 other municipalities, counties, and local promotion groups in
28 promotional activities and programs.

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

30 (20 ILCS 665/13a) (from Ch. 127, par. 200-33a)

1 Sec. 13a. Affirmative action. The Department shall,
2 within 90 days after the effective date of this amendatory
3 Act of 1984, establish and maintain an affirmative action
4 program designed to promote equal employment opportunity and
5 eliminate the effects of past discrimination. Such program
6 shall include a plan which shall specify goals and methods
7 for increasing participation by women and minorities in
8 employment by parties which receive funds pursuant to this
9 Act. The Department shall submit a detailed plan with the
10 General Assembly prior to March 1 of each year. Such program
11 shall also establish procedures to ensure compliance with the
12 plan established pursuant to this Section and with State and
13 federal laws and regulations relating to the employment of
14 women and minorities.

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

16 (20 ILCS 665/14) (from Ch. 127, par. 200-34)

17 Sec. 14. Severability. If any section, subdivision,
18 sentence or clause of this Act is for any reason held invalid
19 or unconstitutional, such decision shall not affect the
20 validity of the remaining portions of this Act.

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

22 (20 ILCS 665/6 rep.)

23 Section 15. The Illinois Promotion Act is amended by
24 repealing Section 6."