



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-THIRD GENERAL ASSEMBLY

152ND LEGISLATIVE DAY

SATURDAY, JULY 24, 2004

10:35 O'CLOCK A.M.

SENATE
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152nd Legislative Day

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The Senate met pursuant to adjournment.
 Senator Debbie DeFrancesco Halvorson, Kankakee, Illinois presiding.
 Prayer by Reverend Brandon Boyd, Loami Christian Church, Loami, Illinois.
 Senator Link led the Senate in the Pledge of Allegiance.

The Journal of Friday, July 23, 2004, was being read when on motion of Senator Maloney, further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

MESSAGE FROM THE HOUSE

A message from the House by
 Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 90

WHEREAS, Subsection (b) of Section 25-10 of the State Officials and Employees Ethics Act (5 ILCS 430/25-10) requires that the Legislative Ethics Commission shall diligently search out qualified candidates for the Legislative Inspector General and make recommendations to the General Assembly, which shall appoint a Legislative Inspector General by joint resolution; and

WHEREAS, Subsection (b) of Section 25-10 further states that the Legislative Inspector General shall be selected solely on the basis of integrity and demonstrated ability and sets forth the necessary educational and employment criteria; and

WHEREAS, The Legislative Ethics Commission has nominated Mr. Thomas J. Homer for appointment as Legislative Inspector General by its Legislative Ethics Commission Resolution 2004-1 submitted to the General Assembly on May 26, 2004; and

WHEREAS, As the personification of integrity and ability, Mr. Thomas J. Homer has had an exemplary career of public service that more than qualifies him to serve as the Legislative Inspector General; and

WHEREAS, A native of Illinois, Mr. Homer was admitted to the Illinois bar in 1974 and has devoted his professional life to the law in various capacities that provide him with a thorough and well-rounded understanding of the ethical demands of governmental endeavors; and

WHEREAS, After serving as an Assistant State's Attorney in Lake County and as the Fulton County State's Attorney, Mr. Homer was a member of the Illinois House of Representatives from 1982 to 1994, during which time he also engaged in the private practice of law; and

WHEREAS, Mr. Homer was elected to the Illinois Third District Appellate Court in 1996, thus adding to his skills in interpreting legislative intent and human behavior; and

WHEREAS, Mr. Homer's lengthy resume of experience and accomplishments uniquely qualifies him for the position of Legislative Inspector General, an office that necessitates both keen intellect and insight into the personal and professional motivations of persons acting in the public realm; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we accept the nomination by the Legislative Ethics Commission and appoint Mr. Thomas J. Homer as Legislative Inspector General in accordance with subsection (b) of Section 25-10 of the State Officials

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and Employees Ethics Act, endorsing him wholeheartedly as surpassing all statutory requirements and ensuring that his sterling character and dedication to government service will enhance the office of Legislative Inspector General and benefit the administration of the ethical foundation on which Illinois legislators and legislative employees operate; and be it further

RESOLVED, That, in accordance with subsection (b) of Section 25-10 of the State Officials and Employees Ethics Act, the appointment of Mr. Thomas J. Homer takes effect upon the adoption of this joint resolution by the affirmative vote of three-fifths of the members elected to each house of the General Assembly, the certification of this joint resolution by the Speaker of the House of Representatives and the President of the Senate, and the filing of this joint resolution with the Secretary of State; and be it further

RESOLVED, That, in accordance with subsection (b) of Section 25-10 of the State Officials and Employees Ethics Act, the term of Legislative Inspector General Homer shall commence upon his qualification and run through June 30, 2008; and be it further

RESOLVED, That copies of this resolution be delivered to Mr. Thomas J. Homer and the Legislative Ethics Commission.

Adopted by the House, July 23, 2004.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives, reporting House Joint Resolution No. 90, was referred to the Committee on Rules.

PRESENTATION OF RESOLUTIONS

Senators Watson - E. Jones offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE RESOLUTION NO. 649

WHEREAS, A vacancy exists in the office of Assistant Secretary of the Senate; therefore, be it
RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that Scott Kaiser is hereby elected Assistant Secretary of the Senate for the remainder of the term of the Ninety-Third General Assembly.

SENATE RESOLUTION 650

Offered by Senator Clayborne and all Senators:
Mourns the death of Frances A. Schmieder of Quincy.

By unanimous consent, the foregoing resolution was referred to the Resolutions Consent Calendar.

COMMITTEE MEETING ANNOUNCEMENT

Senator DeLeo, Member of the Committee on Executive, announced that the Executive Committee will meet today in Room 212 Capitol Building, at 11:30 o'clock a.m.

REPORT FROM RULES COMMITTEE

Senator Viverito, Chairperson of the Committee on Rules, during its July 24, 2004 meeting, reported the following Senate Resolution has been assigned to the indicated Standing Committee of the Senate:

Executive: **Senate Resolution No. 645.**

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Senator Viverito, Chairperson of the Committee on Rules, reported that the following Legislative Measures have been approved for consideration:

House Joint Resolution 90 and Senate Resolution 649.

The foregoing resolutions were placed on the Secretary's Desk.

HOUSE BILL RECALLED

On motion of Senator E. Jones, **House Bill No. 7307** was recalled from the order of third reading to the order of second reading.

Senator Winkel offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 7307 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Health Facilities Planning Act is amended by changing Sections 4, 4.2, and 19.6 as follows:

(20 ILCS 3960/4) (from Ch. 111 1/2, par. 1154)
(Section scheduled to be repealed on July 1, 2008)

Sec. 4. Health Facilities Planning Board; membership; appointment; term; compensation; quorum. There is created the Health Facilities Planning Board, which shall perform the functions described in this Act.

The State Board shall consist of 5 voting members. Each member shall have a reasonable knowledge of health planning, health finance, or health care at the time of his or her appointment. No person shall be appointed or continue to serve as a member of the State Board who is, or whose spouse, parent, or child is, a member of the Board of Directors of, has a financial interest in, or has a business relationship with a health care facility.

Notwithstanding any provision of this Section to the contrary, the term of office of each member of the State Board is abolished on the effective date of this amendatory Act of the 93rd General Assembly and those members no longer hold office.

~~Notwithstanding any provision of this Section to the contrary, the term of office of each member of the State Board is abolished on the effective date of this amendatory Act of the 93rd General Assembly, but all incumbent members shall continue to exercise all of the powers and be subject to all of the duties of members of the State Board until all new members of the 9 member State Board authorized under this amendatory Act of the 93rd General Assembly are appointed and take office. Beginning on the effective date of this amendatory Act of the 93rd General Assembly, the State Board shall consist of 9 voting members.~~

The State Board shall be appointed by the Governor, with the advice and consent of the Senate. Not more than 3 5 of the appointments shall be of the same political party at the time of the appointment. No person shall be appointed as a State Board member if that person has served, after the effective date of Public Act 93-41 ~~this amendatory Act of the 93rd General Assembly~~, 2 3-year terms as a State Board member, except for ex officio non-voting members.

The Secretary of Human Services, the Director of Public Aid, and the Director of Public Health, or their designated representatives, shall serve as ex-officio, non-voting members of the State Board.

Of those members initially appointed by the Governor under this amendatory Act of the 93rd General Assembly, 2 shall serve for terms expiring July 1, 2005, 2 shall serve for terms expiring July 1, 2006, and 1 shall serve for a term expiring July 1, 2007. ~~Of those members initially appointed by the Governor under this amendatory Act of the 93rd General Assembly, 3 shall serve for terms expiring July 1, 2004, 3 shall serve for terms expiring July 1, 2005, and 3 shall serve for terms expiring July 1, 2006.~~ Thereafter, each appointed member shall hold office for a term of 3 years, provided that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his or her predecessor was appointed shall be appointed for the remainder of such term and the term of office of each successor shall commence on July 1 of the year in which his predecessor's term expires. Each member appointed after the effective date of this amendatory Act of the 93rd General Assembly shall hold office until his or her successor is appointed and qualified.

State Board members, while serving on business of the State Board, shall receive actual and necessary travel and subsistence expenses while so serving away from their places of residence. A

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member of the State Board who experiences a significant financial hardship due to the loss of income on days of attendance at meetings or while otherwise engaged in the business of the State Board may be paid a hardship allowance, as determined by and subject to the approval of the Governor's Travel Control Board.

The Governor shall designate one of the members to serve as Chairman and shall name as full-time Executive Secretary of the State Board, a person qualified in health care facility planning and in administration. The Agency shall provide administrative and staff support for the State Board. The State Board shall advise the Director of its budgetary and staff needs and consult with the Director on annual budget preparation.

The State Board shall meet at least once each quarter, or as often as the Chairman of the State Board deems necessary, or upon the request of a majority of the members.

~~Three~~ Five members of the State Board shall constitute a quorum. The affirmative vote of ~~3~~ 5 of the members of the State Board shall be necessary for any action requiring a vote to be taken by the State Board. A vacancy in the membership of the State Board shall not impair the right of a quorum to exercise all the rights and perform all the duties of the State Board as provided by this Act.

A State Board member shall disqualify himself or herself from the consideration of any application for a permit or exemption in which the State Board member or the State Board member's spouse, parent, or child: (i) has an economic interest in the matter; or (ii) is employed by, serves as a consultant for, or is a member of the governing board of the applicant or a party opposing the application.

(Source: P.A. 93-41, eff. 6-27-03.)

(20 ILCS 3960/4.2)

(Section scheduled to be repealed on July 1, 2008)

Sec. 4.2. Ex parte communications.

(a) Except in the disposition of matters that agencies are authorized by law to entertain or dispose of on an ex parte basis including, but not limited to rule making, the State Board, any State Board member, employee, or a hearing officer shall not engage in ex parte communication, ~~after an application for a permit is received,~~ in connection with the substance of any pending or impending application for a permit with any person or party or the representative of any party. This subsection (a) applies when the Board member, employee, or hearing officer knows, or should know upon reasonable inquiry, that the application is pending or impending.

(b) A State Board member or employee may communicate with other members or employees and any State Board member or hearing officer may have the aid and advice of one or more personal assistants.

(c) An ex parte communication received by the State Board, any State Board member, employee, or a hearing officer shall be made a part of the record of the pending matter, including all written communications, all written responses to the communications, and a memorandum stating the substance of all oral communications and all responses made and the identity of each person from whom the ex parte communication was received.

(d) "Ex parte communication" means a communication between a person who is not a State Board member or employee and a State Board member or employee that reflects on the substance of a pending or impending State Board proceeding and that takes place outside the record of the proceeding. Communications regarding matters of procedure and practice, such as the format of pleading, number of copies required, manner of service, and status of proceedings, are not considered ex parte communications. Technical assistance with respect to an application, not intended to influence any decision on the application, may be provided by employees to the applicant. Any assistance shall be documented in writing by the applicant and employees within 10 business days after the assistance is provided.

(e) For purposes of this Section, "employee" means a person the State Board or the Agency employs on a full-time, part-time, contract, or intern basis.

(f) The State Board, State Board member, or hearing examiner presiding over the proceeding, in the event of a violation of this Section, must take whatever action is necessary to ensure that the violation does not prejudice any party or adversely affect the fairness of the proceedings.

(g) Nothing in this Section shall be construed to prevent the State Board or any member of the State Board from consulting with the attorney for the State Board.

(Source: P.A. 91-782, eff. 6-9-00; revised 1-28-04.)

(20 ILCS 3960/19.6)

(Section scheduled to be repealed on July 1, 2008)

Sec. 19.6. Repeal. This Act is repealed on July 1, ~~2006~~ 2008.

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(Source: P.A. 93-41, eff. 6-27-03.)

Section 10. The Lobbyist Registration Act is amended by changing Section 8 as follows:
(25 ILCS 170/8) (from Ch. 63, par. 178)

Sec. 8. Contingent fees prohibited.

No person shall retain or employ another to lobby with respect to any legislative, executive, or administrative action ~~promote or oppose legislation~~ for compensation contingent in whole or in part upon the outcome of the action ~~passage or defeat of any legislation, or the approval or veto of any legislation by the Governor~~, and no person shall accept any such employment or render any such service for compensation contingent upon the outcome of the legislative, executive, or administrative action ~~passage or defeat of any legislation or the approval or veto of any legislation by the Governor~~.

(Source: P.A. 76-1848.)

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

The motion prevailed.

And the amendment was adopted, and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator E. Jones, **House Bill No. 7307**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

Yeas 55; Nays None; Present 1.

The following voted in the affirmative:

Althoff	Garrett	Munoz	Silverstein
Bomke	Haine	Obama	Soden
Brady	Halvorson	Peterson	Sullivan, D.
Burzynski	Harmon	Petka	Sullivan, J.
Clayborne	Hendon	Radogno	Syverson
Collins	Hunter	Righter	Trotter
Cronin	Jones, J.	Risinger	Viverito
Crotty	Lauzen	Ronen	Walsh
Cullerton	Lightford	Roskam	Watson
del Valle	Link	Rutherford	Welch
DeLeo	Luechtefeld	Sandoval	Winkel
Demuzio	Maloney	Schoenberg	Wojcik
Dillard	Martinez	Shadid	Mr. President
Forby	Meeks	Sieben	

The following voted present:

Rauschenberger

This bill, having received the vote of three-fifths of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

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**CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS ON SECRETARY'S
DESK**

On motion of Senator Viverito, **Senate Bill No. 1668**, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Viverito moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 56; Nays None.

The following voted in the affirmative:

Althoff	Haine	Peterson	Sullivan, D.
Bomke	Halvorson	Petka	Sullivan, J.
Brady	Harmon	Radogno	Syverson
Burzynski	Hendon	Rauschenberger	Trotter
Clayborne	Hunter	Righter	Viverito
Collins	Jones, J.	Risinger	Walsh
Cronin	Lauzen	Ronen	Watson
Crotty	Lightford	Roskam	Welch
Cullerton	Link	Rutherford	Winkel
del Valle	Luechtefeld	Sandoval	Wojcik
DeLeo	Maloney	Schoenberg	Mr. President
Demuzio	Martinez	Shadid	
Dillard	Meeks	Sieben	
Forby	Munoz	Silverstein	
Garrett	Obama	Soden	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 1668**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Winkel, **Senate Bill No. 1960**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Winkel moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 27; Nays 23; Present 4.

The following voted in the affirmative:

Althoff	Jones, J.	Righter	Syverson
Bomke	Lauzen	Risinger	Walsh
Brady	Luechtefeld	Roskam	Watson
Burzynski	Peterson	Rutherford	Welch
Cronin	Petka	Sieben	Winkel
Demuzio	Radogno	Soden	Wojcik
Garrett	Rauschenberger	Sullivan, J.	

The following voted in the negative:

Clayborne	Forby	Martinez	Schoenberg
Collins	Haine	Meeks	Silverstein
Crotty	Halvorson	Munoz	Trotter
Cullerton	Harmon	Obama	Viverito
del Valle	Hunter	Ronen	Mr. President

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Althoff	Haine	Peterson	Sullivan, D.
Bomke	Halvorson	Petka	Sullivan, J.
Brady	Harmon	Radogno	Syverson
Burzynski	Hendon	Rauschenberger	Trotter
Clayborne	Hunter	Righter	Viverito
Collins	Jones, J.	Risinger	Walsh
Cronin	Lauzen	Ronen	Watson
Crotty	Lightford	Roskam	Welch
Cullerton	Link	Rutherford	Winkel
del Valle	Luechtefeld	Sandoval	Wojcik
DeLeo	Maloney	Schoenberg	Mr. President
Demuzio	Martinez	Shadid	
Dillard	Meeks	Sieben	
Forby	Munoz	Silverstein	
Garrett	Obama	Soden	

The motion prevailed.
And the resolution was adopted.

Senator Link announced there would be a Democrat caucus immediately upon recess.

Senator Burzynski announced there would be a Republican caucus immediately upon recess.

At the hour of 11:28 o'clock a.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 1:13 o'clock p.m., the Senate resumed consideration of business.
Senator Halvorson, presiding.

MESSAGES FROM THE HOUSE

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 73

A bill for AN ACT concerning State Government.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 73

Passed the House, as amended, July 24, 2004, by a three-fifths vote.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 73 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Administrative Procedure Act is amended by changing Sections 5-115, 5-120, and 5-125 as follows:

(5 ILCS 100/5-115) (from Ch. 127, par. 1005-115)

Sec. 5-115. Other action by the Joint Committee.

(a) If the Joint Committee determines that the adoption and effectiveness of a proposed rule, amendment, or repealer or portion of a proposed rule, amendment, or repealer by an agency would be objectionable under any of the standards for the Joint Committee's review specified in Section 5-100, 5-105, 5-110, 5-120, or 5-130 and would constitute a serious threat to the public interest, safety, or welfare, the Joint Committee may issue a statement to that effect at any time before the proposed rule,

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amendment, or repealer takes effect. The statement may be issued by the Joint Committee only upon the affirmative vote of three-fifths of the members appointed to the Joint Committee. The Joint Committee, however, may withdraw a statement within 180 days after it is issued upon the affirmative vote of a majority of the members appointed to the Joint Committee. A certified copy of ~~each~~ the statement ~~and withdrawal~~ shall be transmitted to the proposing agency and to the Secretary of State for publication in the next available issue of the Illinois Register.

(b) The proposed rule, amendment, or repealer or the portion of the proposed rule, amendment, or repealer to which the Joint Committee has issued a statement under subsection (a) shall not be accepted for filing by the Secretary of State nor take effect ~~unless the statement is withdrawn or a joint resolution is passed as provided in subsection (c) for at least 180 days after receipt of the statement by the Secretary of State.~~ The agency may not enforce or invoke for any reason a proposed rule, amendment, or repealer or any portion thereof that is prohibited from being filed by this subsection ~~during this 180 day period.~~

(c) ~~After The Joint Committee shall, as soon as practicable after the issuance of a statement under subsection (a), any member of the General Assembly may introduce in either house of the General Assembly a joint resolution stating that the General Assembly desires to discontinue ~~continue~~ the prohibition against the proposed rule, amendment, or repealer or the portion thereof to which the statement was issued being filed and taking effect. The joint resolution shall, immediately following its first reading, be placed on the calendar for consideration in each house of the General Assembly without reference to a standing committee.~~ If the joint resolution is not passed by both houses of the General Assembly within ~~the~~ 180 days after receipt of the statement by the Secretary of State or the statement is not withdrawn as provided in subsection (a) day period provided in subsection (b), the agency shall be prohibited from filing the proposed rule, amendment, or repealer or the portion thereof and the proposed rule, amendment, or repealer or the portion thereof shall not take effect. The Secretary of State shall not accept for filing the proposed rule, amendment, or repealer or the portion thereof with respect to which the Joint Committee has issued a statement under subsection (a) ~~unless that statement is withdrawn or a joint resolution is passed as provided in this subsection, that the General Assembly has prohibited the agency from filing as provided in this subsection.~~ If the 180-day ~~day~~ period ~~provided in subsection (b)~~ expires before passage of the joint resolution, the agency may not file the proposed rule, amendment, or repealer or the portion thereof as adopted and it shall not take effect.

(d) If a statement is issued under this Section, then, in response to an objection or suggestion of the Joint Committee, the agency may propose changes to the proposed rule, amendment, or repealer or portion of a proposed rule, amendment, or repealer. If the agency proposes changes, it must provide additional notice to the Joint Committee under the same terms and conditions and shall be subject to the same requirements and limitations as those set forth for a second notice period under subsection (c) of Section 5-40.

(Source: P.A. 87-823; 88-667, eff. 9-16-94.)

(5 ILCS 100/5-120) (from Ch. 127, par. 1005-120)

Sec. 5-120. Responsibilities of the Joint Committee with respect to emergency, preemptory, and other existing rules.

(a) The Joint Committee may examine any rule to determine whether the rule is within the statutory authority upon which it is based and whether the rule is in proper form.

(b) If the Joint Committee objects to a rule, it shall, within 5 days of the objection, certify the fact to the adopting agency and include within the certification a statement of its specific objections.

(c) Within 90 days after receiving the certification, the agency shall do one of the following:

(1) Notify the Joint Committee that it has elected to amend the rule to meet the Joint Committee's objection.

(2) Notify the Joint Committee that it has elected to repeal the rule.

(3) Notify the Joint Committee that it refuses to amend or repeal the rule.

(d) If the agency elects to amend a rule to meet the Joint Committee's objections, it shall notify the Joint Committee in writing and shall initiate rulemaking procedures for that purpose by giving notice as required by Section 5-35. The Joint Committee shall give priority to rules so amended when setting its agenda.

(e) If the agency elects to repeal a rule as a result of the Joint Committee's objections, it shall notify the Joint Committee in writing of its election and shall initiate rulemaking procedures for that purpose by giving notice as required by Section 5-35.

(f) If the agency elects to amend or repeal a rule as a result of the Joint Committee's objections, it shall complete the process within 180 days after giving notice in the Illinois Register.

(g) Failure of the agency to respond to the Joint Committee's objections to a rule within the time prescribed in subsection (c) shall constitute a refusal to amend or repeal the rule.

(h) If an agency refuses to amend or repeal a rule to remedy an objection stated by the Joint Committee, it shall notify the Joint Committee in writing of its refusal and shall submit a notice of refusal to the Secretary of State. The notice shall be published in the next available issue of the Illinois Register. If the Joint Committee, in response to an agency refusal, decides to suspend the rule, then it may do so pursuant to Section 5-125, recommend legislative action, then the Joint Committee shall have drafted and introduced into either house of the General Assembly appropriate legislation to implement the recommendations of the Joint Committee.

(Source: P.A. 87-823; 88-667, eff. 9-16-94.)

(5 ILCS 100/5-125) (from Ch. 127, par. 1005-125)

Sec. 5-125. Other Joint Committee action with respect to emergency or peremptory rulemaking.

(a) If the Joint Committee determines that a rule or portion of a rule adopted under Section 5-45 or 5-50 is objectionable under any of the standards for the Joint Committee's review specified in Section 5-100, 5-105, 5-110, 5-120, or 5-130 and constitutes a serious threat to the public interest, safety, or welfare, the Joint Committee may issue a statement to that effect. The statement may be issued by the Joint Committee only upon the affirmative vote of three-fifths of the members appointed to the Joint Committee. The Joint Committee, however, may withdraw a statement within 180 days after it is issued upon the affirmative vote of a majority of the members appointed to the Joint Committee. A certified copy of each the statement and withdrawal shall be transmitted to the affected agency and to the Secretary of State for publication in the next available issue of the Illinois Register. Within 30 days of transmittal of the statement to the agency, the agency shall notify the Joint Committee in writing whether it has elected to repeal or amend the rule. Failure of the agency to notify the Joint Committee and Secretary of State within 30 days constitutes a decision by the agency to not repeal the rule.

(b) The effectiveness of the rule or the portion of a rule shall be suspended immediately ~~for at least 180 days~~ upon receipt of the certified statement by the Secretary of State. The Secretary of State shall indicate the suspension prominently and clearly on the face of the affected rule or the portion of a rule filed in the Office of the Secretary of State. Rules or portions of rules suspended under this subsection shall not become effective again unless the statement is withdrawn as provided in subsection (a) or unless within upon the expiration of 180 days from receipt of the statement by the Secretary of State, if the General Assembly discontinues does not continue the suspension by joint resolution under subsection (c). The agency may not enforce, or invoke for any reason, a rule or portion of a rule that has been suspended under this subsection. During the 180-day 180-day period, the agency may not file, nor may the Secretary of State accept for filing, any rule that (i) has having substantially the same purpose and effect as rules or portions of rules suspended under this subsection or (ii) does not substantially address the statement issued under subsection (a), except as otherwise provided in this Section.

(c) ~~After The Joint Committee shall, as soon as practicable after the issuance of a statement under subsection (a), any member of the General Assembly may introduce in cause to be introduced in either house of the General Assembly a joint resolution stating that the General Assembly desires to discontinue continue the suspension of effectiveness of a rule or the portion of the rule to which the statement was issued. The joint resolution shall immediately following its first reading be placed on the calendar for consideration in each house of the General Assembly without reference to a standing committee.~~ If the joint resolution is not passed by both houses of the General Assembly within the 180-day 180-day period provided in subsection (b) or the statement is not withdrawn, the rule or the portion of the rule shall be considered repealed and the Secretary of State shall immediately remove the rule or portion of a rule from the collection of effective rules.

(d) If a statement is issued under this Section, then, in response to an objection or suggestion of the Joint Committee, the agency may propose changes to the rule, amendment, or repealer or portion of a rule, amendment, or repealer. If the agency proposes changes, it must provide additional notice to the Joint Committee under the same terms and conditions and shall be subject to the same requirements and limitations as those set forth for a second notice period under subsection (c) of Section 5-40.

(Source: P.A. 87-823; 88-667, eff. 9-16-94.)

Section 10. The Illinois Procurement Code is amended by changing Section 30-30 as follows:
(30 ILCS 500/30-30)

Sec. 30-30. Contracts in excess of \$250,000. For building construction contracts in excess of \$250,000, separate specifications shall be prepared for all equipment, labor, and materials in connection with the following 5 subdivisions of the work to be performed:

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- (1) plumbing;
- (2) heating, piping, refrigeration, and automatic temperature control systems, including the testing and balancing of those systems;
- (3) ventilating and distribution systems for conditioned air, including the testing and balancing of those systems;
- (4) electric wiring; and
- (5) general contract work.

The specifications must be so drawn as to permit separate and independent bidding upon each of the 5 subdivisions of work. All contracts awarded for any part thereof shall award the 5 subdivisions of work separately to responsible and reliable persons, firms, or corporations engaged in these classes of work. The contracts, at the discretion of the construction agency, may be assigned to the successful bidder on the general contract work or to the successful bidder on the subdivision of work designated by the construction agency before the bidding as the prime subdivision of work, provided that all payments will be made directly to the contractors for the 5 subdivisions of work upon compliance with the conditions of the contract. A contract may be let for one or more buildings in any project to the same contractor. The specifications shall require, however, that unless the buildings are identical, a separate price shall be submitted for each building. The contract may be awarded to the lowest responsible bidder for each or all of the buildings included in the specifications.

Until a date 2 years after the effective date of this amendatory Act of the 93rd General Assembly, the requirements of this Section do not apply to the construction of an Emergency Operations Center for the Illinois Emergency Management Agency if (i) the majority of the funding for the project is from federal funds, (ii) the bid of the successful bidder identifies the name of the subcontractor, if any, and the bid proposal costs for each of the 5 subdivisions of work set forth in this Section, and (iii) the contract entered into with the successful bidder provides that no identified subcontractor may be terminated without the written consent of the Capital Development Board.

(Source: P.A. 90-572, eff. date - See Sec. 99-5.)

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

Under the rules, the foregoing **Senate Bill No. 73**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1046

A bill for AN ACT concerning finance.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1046

Passed the House, as amended, July 24, 2004, by a three-fifths vote.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1

AMENDMENT NO. 1 . Amend Senate Bill 1046 by replacing everything after the enacting clause with the following: and

"Section 5. The Illinois Finance Authority Act is amended by changing Section 801-10 as follows:
(20 ILCS 3501/801-10)

Sec. 801-10. Definitions. The following terms, whenever used or referred to in this Act, shall have the following meanings, except in such instances where the context may clearly indicate otherwise:

(a) The term "Authority" means the Illinois Finance Authority created by this Act.

(b) The term "project" means an industrial project, housing project, public purpose project, higher education project, health facility project, cultural institution project, agricultural facility or agribusiness, and "project" may include any combination of one or more of the foregoing undertaken jointly by any person with one or more other persons, ~~but "project" shall not include any facility used or to be used for sectarian instruction or as a place of religious worship nor any facility which is used~~

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~~or to be used primarily in connection with any part of the program of a school or department of divinity for any religious denomination or the training of ministers, priests, rabbis or other professional persons in the field of religion.~~

(c) The term "public purpose project" means any project or facility including without limitation land, buildings, structures, machinery, equipment and all other real and personal property, which is authorized or required by law to be acquired, constructed, improved, rehabilitated, reconstructed, replaced or maintained by any unit of government or any other lawful public purpose which is authorized or required by law to be undertaken by any unit of government.

(d) The term "industrial project" means the acquisition, construction, refurbishment, creation, development or redevelopment of any facility, equipment, machinery, real property or personal property for use by any instrumentality of the State or its political subdivisions, for use by any person or institution, public or private, for profit or not for profit, or for use in any trade or business including, but not limited to, any industrial, manufacturing or commercial enterprise and which is (1) a capital project including but not limited to: (i) land and any rights therein, one or more buildings, structures or other improvements, machinery and equipment, whether now existing or hereafter acquired, and whether or not located on the same site or sites; (ii) all appurtenances and facilities incidental to the foregoing, including, but not limited to utilities, access roads, railroad sidings, track, docking and similar facilities, parking facilities, dockage, wharfage, railroad roadbed, track, trestle, depot, terminal, switching and signaling or related equipment, site preparation and landscaping; and (iii) all non-capital costs and expenses relating thereto or (2) any addition to, renovation, rehabilitation or improvement of a capital project or (3) any activity or undertaking which the Authority determines will aid, assist or encourage economic growth, development or redevelopment within the State or any area thereof, will promote the expansion, retention or diversification of employment opportunities within the State or any area thereof or will aid in stabilizing or developing any industry or economic sector of the State economy. The term "industrial project" also means the production of motion pictures.

(e) The term "bond" or "bonds" shall include bonds, notes (including bond, grant or revenue anticipation notes), certificates and/or other evidences of indebtedness representing an obligation to pay money, including refunding bonds.

(f) The terms "lease agreement" and "loan agreement" shall mean: (i) an agreement whereby a project acquired by the Authority by purchase, gift or lease is leased to any person, corporation or unit of local government which will use or cause the project to be used as a project as heretofore defined upon terms providing for lease rental payments at least sufficient to pay when due all principal of, interest and premium, if any, on any bonds of the Authority issued with respect to such project, providing for the maintenance, insuring and operation of the project on terms satisfactory to the Authority, providing for disposition of the project upon termination of the lease term, including purchase options or abandonment of the premises, and such other terms as may be deemed desirable by the Authority, or (ii) any agreement pursuant to which the Authority agrees to loan the proceeds of its bonds issued with respect to a project or other funds of the Authority to any person which will use or cause the project to be used as a project as heretofore defined upon terms providing for loan repayment installments at least sufficient to pay when due all principal of, interest and premium, if any, on any bonds of the Authority, if any, issued with respect to the project, and providing for maintenance, insurance and other matters as may be deemed desirable by the Authority.

(g) The term "financial aid" means the expenditure of Authority funds or funds provided by the Authority through the issuance of its bonds, notes or other evidences of indebtedness or from other sources for the development, construction, acquisition or improvement of a project.

(h) The term "person" means an individual, corporation, unit of government, business trust, estate, trust, partnership or association, 2 or more persons having a joint or common interest, or any other legal entity.

(i) The term "unit of government" means the federal government, the State or unit of local government, a school district, or any agency or instrumentality, office, officer, department, division, bureau, commission, college or university thereof.

(j) The term "health facility" means: (a) any public or private institution, place, building, or agency required to be licensed under the Hospital Licensing Act; (b) any public or private institution, place, building, or agency required to be licensed under the Nursing Home Care Act; (c) any public or licensed private hospital as defined in the Mental Health and Developmental Disabilities Code; (d) any such facility exempted from such licensure when the Director of Public Health attests that such exempted facility meets the statutory definition of a facility subject to licensure; (e) any other public or private health service institution, place, building, or agency which the Director of Public Health

attests is subject to certification by the Secretary, U.S. Department of Health and Human Services under the Social Security Act, as now or hereafter amended, or which the Director of Public Health attests is subject to standard-setting by a recognized public or voluntary accrediting or standard-setting agency; (f) any public or private institution, place, building or agency engaged in providing one or more supporting services to a health facility; (g) any public or private institution, place, building or agency engaged in providing training in the healing arts, including but not limited to schools of medicine, dentistry, osteopathy, optometry, podiatry, pharmacy or nursing, schools for the training of x-ray, laboratory or other health care technicians and schools for the training of para-professionals in the health care field; (h) any public or private congregate, life or extended care or elderly housing facility or any public or private home for the aged or infirm, including, without limitation, any Facility as defined in the Life Care Facilities Act; (i) any public or private mental, emotional or physical rehabilitation facility or any public or private educational, counseling, or rehabilitation facility or home, for those persons with a developmental disability, those who are physically ill or disabled, the emotionally disturbed, those persons with a mental illness or persons with learning or similar disabilities or problems; (j) any public or private alcohol, drug or substance abuse diagnosis, counseling treatment or rehabilitation facility, (k) any public or private institution, place, building or agency licensed by the Department of Children and Family Services or which is not so licensed but which the Director of Children and Family Services attests provides child care, child welfare or other services of the type provided by facilities subject to such licensure; (l) any public or private adoption agency or facility; and (m) any public or private blood bank or blood center. "Health facility" also means a public or private structure or structures suitable primarily for use as a laboratory, laundry, nurses or interns residence or other housing or hotel facility used in whole or in part for staff, employees or students and their families, patients or relatives of patients admitted for treatment or care in a health facility, or persons conducting business with a health facility, physician's facility, surgicenter, administration building, research facility, maintenance, storage or utility facility and all structures or facilities related to any of the foregoing or required or useful for the operation of a health facility, including parking or other facilities or other supporting service structures required or useful for the orderly conduct of such health facility.

(k) The term "participating health institution" means a private corporation or association or public entity of this State, authorized by the laws of this State to provide or operate a health facility as defined in this Act and which, pursuant to the provisions of this Act, undertakes the financing, construction or acquisition of a project or undertakes the refunding or refinancing of obligations, loans, indebtedness or advances as provided in this Act.

(l) The term "health facility project", means a specific health facility work or improvement to be financed or refinanced (including without limitation through reimbursement of prior expenditures), acquired, constructed, enlarged, remodeled, renovated, improved, furnished, or equipped, with funds provided in whole or in part hereunder, any accounts receivable, working capital, liability or insurance cost or operating expense financing or refinancing program of a health facility with or involving funds provided in whole or in part hereunder, or any combination thereof.

(m) The term "bond resolution" means the resolution or resolutions authorizing the issuance of, or providing terms and conditions related to, bonds issued under this Act and includes, where appropriate, any trust agreement, trust indenture, indenture of mortgage or deed of trust providing terms and conditions for such bonds.

(n) The term "property" means any real, personal or mixed property, whether tangible or intangible, or any interest therein, including, without limitation, any real estate, leasehold interests, appurtenances, buildings, easements, equipment, furnishings, furniture, improvements, machinery, rights of way, structures, accounts, contract rights or any interest therein.

(o) The term "revenues" means, with respect to any project, the rents, fees, charges, interest, principal repayments, collections and other income or profit derived therefrom.

(p) The term "higher education project" means, in the case of a private institution of higher education, an educational facility to be acquired, constructed, enlarged, remodeled, renovated, improved, furnished, or equipped, or any combination thereof.

(q) The term "cultural institution project" means, in the case of a cultural institution, a cultural facility to be acquired, constructed, enlarged, remodeled, renovated, improved, furnished, or equipped, or any combination thereof.

(r) The term "educational facility" means any property located within the State constructed or acquired before or after the effective date of this Act, which is or will be, in whole or in part, suitable for the instruction, feeding, recreation or housing of students, the conducting of research or other work of a private institution of higher education, the use by a private institution of higher education in

connection with any educational, research or related or incidental activities then being or to be conducted by it, or any combination of the foregoing, including, without limitation, any such property suitable for use as or in connection with any one or more of the following: an academic facility, administrative facility, agricultural facility, assembly hall, athletic facility, auditorium, boating facility, campus, communication facility, computer facility, continuing education facility, classroom, dining hall, dormitory, exhibition hall, fire fighting facility, fire prevention facility, food service and preparation facility, gymnasium, greenhouse, health care facility, hospital, housing, instructional facility, laboratory, library, maintenance facility, medical facility, museum, offices, parking area, physical education facility, recreational facility, research facility, stadium, storage facility, student union, study facility, theatre or utility. ~~An educational facility shall not include any property used or to be used for sectarian instruction or study or as a place for devotional activities or religious worship nor any property which is used or to be used primarily in connection with any part of the program of a school or department of divinity for any religious denomination.~~

(s) The term "cultural facility" means any property located within the State constructed or acquired before or after the effective date of this Act, which is or will be, in whole or in part, suitable for the particular purposes or needs of a cultural institution, including, without limitation, any such property suitable for use as or in connection with any one or more of the following: an administrative facility, aquarium, assembly hall, auditorium, botanical garden, exhibition hall, gallery, greenhouse, library, museum, scientific laboratory, theater or zoological facility, and shall also include, without limitation, books, works of art or music, animal, plant or aquatic life or other items for display, exhibition or performance. The term "cultural facility" includes buildings on the National Register of Historic Places which are owned or operated by nonprofit entities. ~~A cultural facility shall not include any property used or to be used for sectarian instruction or study or as a place for devotional activities or religious worship nor any property which is used or to be used primarily in connection with any part of the program of a school or department of divinity for any religious denomination.~~

(t) "Private institution of higher education" means a not-for-profit educational institution which is not owned by the State or any political subdivision, agency, instrumentality, district or municipality thereof, which is authorized by law to provide a program of education beyond the high school level and which:

(1) Admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate;

(2) Provides an educational program for which it awards a bachelor's degree, or provides an educational program, admission into which is conditioned upon the prior attainment of a bachelor's degree or its equivalent, for which it awards a postgraduate degree, or provides not less than a 2-year program which is acceptable for full credit toward such a degree, or offers a 2-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge;

(3) Is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than 3 institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited, and holds an unrevoked certificate of approval under the Private College Act from the Board of Higher Education, or is qualified as a "degree granting institution" under the Academic Degree Act; and

(4) Does not discriminate in the admission of students on the basis of race ~~or~~ color ~~or~~ creed. "Private institution of higher education" also includes any "academic institution".

(u) The term "academic institution" means any not-for-profit institution which is not owned by the State or any political subdivision, agency, instrumentality, district or municipality thereof, which institution engages in, or facilitates academic, scientific, educational or professional research or learning in a field or fields of study taught at a private institution of higher education. Academic institutions include, without limitation, libraries, archives, academic, scientific, educational or professional societies, institutions, associations or foundations having such purposes. ~~Academic institution does not include any school or any institution primarily engaged in religious or sectarian activities.~~

(v) The term "cultural institution" means any not-for-profit institution which is not owned by the State or any political subdivision, agency, instrumentality, district or municipality thereof, which institution engages in the cultural, intellectual, scientific, educational or artistic enrichment of the people of the State. Cultural institutions include, without limitation, aquaria, botanical societies,

historical societies, libraries, museums, performing arts associations or societies, scientific societies and zoological societies. ~~Cultural institution does not include any institution primarily engaged in religious or sectarian activities.~~

(w) The term "affiliate" means, with respect to financing of an agricultural facility or an agribusiness, any lender, any person, firm or corporation controlled by, or under common control with, such lender, and any person, firm or corporation controlling such lender.

(x) The term "agricultural facility" means land, any building or other improvement thereon or thereto, and any personal properties deemed necessary or suitable for use, whether or not now in existence, in farming, ranching, the production of agricultural commodities (including, without limitation, the products of aquaculture, hydroponics and silviculture) or the treating, processing or storing of such agricultural commodities when such activities are customarily engaged in by farmers as a part of farming.

(y) The term "lender" with respect to financing of an agricultural facility or an agribusiness, means any federal or State chartered bank, Federal Land Bank, Production Credit Association, Bank for Cooperatives, federal or State chartered savings and loan association or building and loan association, Small Business Investment Company or any other institution qualified within this State to originate and service loans, including, but without limitation to, insurance companies, credit unions and mortgage loan companies. "Lender" also means a wholly owned subsidiary of a manufacturer, seller or distributor of goods or services that makes loans to businesses or individuals, commonly known as a "captive finance company".

(z) The term "agribusiness" means any sole proprietorship, limited partnership, co-partnership, joint venture, corporation or cooperative which operates or will operate a facility located within the State of Illinois that is related to the processing of agricultural commodities (including, without limitation, the products of aquaculture, hydroponics and silviculture) or the manufacturing, production or construction of agricultural buildings, structures, equipment, implements, and supplies, or any other facilities or processes used in agricultural production. Agribusiness includes but is not limited to the following:

- (1) grain handling and processing, including grain storage, drying, treatment, conditioning, mailing and packaging;
- (2) seed and feed grain development and processing;
- (3) fruit and vegetable processing, including preparation, canning and packaging;
- (4) processing of livestock and livestock products, dairy products, poultry and poultry products, fish or apianian products, including slaughter, shearing, collecting, preparation, canning and packaging;
- (5) fertilizer and agricultural chemical manufacturing, processing, application and supplying;
- (6) farm machinery, equipment and implement manufacturing and supplying;
- (7) manufacturing and supplying of agricultural commodity processing machinery and equipment, including machinery and equipment used in slaughter, treatment, handling, collecting, preparation, canning or packaging of agricultural commodities;
- (8) farm building and farm structure manufacturing, construction and supplying;
- (9) construction, manufacturing, implementation, supplying or servicing of irrigation, drainage and soil and water conservation devices or equipment;
- (10) fuel processing and development facilities that produce fuel from agricultural commodities or byproducts;
- (11) facilities and equipment for processing and packaging agricultural commodities specifically for export;
- (12) facilities and equipment for forestry product processing and supplying, including sawmilling operations, wood chip operations, timber harvesting operations, and manufacturing of prefabricated buildings, paper, furniture or other goods from forestry products;
- (13) facilities and equipment for research and development of products, processes and equipment for the production, processing, preparation or packaging of agricultural commodities and byproducts.

(aa) The term "asset" with respect to financing of any agricultural facility or any agribusiness, means, but is not limited to the following: cash crops or feed on hand; livestock held for sale; breeding stock; marketable bonds and securities; securities not readily marketable; accounts receivable; notes receivable; cash invested in growing crops; net cash value of life insurance; machinery and equipment; cars and trucks; farm and other real estate including life estates and personal residence; value of beneficial interests in trusts; government payments or grants; and any other assets.

(bb) The term "liability" with respect to financing of any agricultural facility or any agribusiness shall include, but not be limited to the following: accounts payable; notes or other indebtedness owed to any source; taxes; rent; amounts owed on real estate contracts or real estate mortgages; judgments; accrued interest payable; and any other liability.

(cc) The term "Predecessor Authorities" means those authorities as described in Section 845-75.

(dd) The term "housing project" means a specific work or improvement undertaken to provide residential dwelling accommodations, including the acquisition, construction or rehabilitation of lands, buildings and community facilities and in connection therewith to provide nonhousing facilities which are part of the housing project, including land, buildings, improvements, equipment and all ancillary facilities for use for offices, stores, retirement homes, hotels, financial institutions, service, health care, education, recreation or research establishments, or any other commercial purpose which are or are to be related to a housing development.

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

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

Under the rules, the foregoing **Senate Bill No. 1046**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1737

A bill for AN ACT in relation to real property.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1737

House Amendment No. 3 to SENATE BILL NO. 1737

House Amendment No. 4 to SENATE BILL NO. 1737

Passed the House, as amended, July 24, 2004, by a three-fifths vote.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 1737 by replacing everything after the enacting clause with the following:

"Section 5. The Code of Civil Procedure is amended by adding Section 7-103.113 as follows:
(735 ILCS 5/7-103.113 new)

Sec. 7-103.113. Quick-take: Village of Bridgeview. Quick-take proceedings under Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 93rd General Assembly by the Village of Bridgeview for the purpose of acquiring all property necessary for the building of a municipal sports stadium and parking areas, team practice facilities, and other related uses.

Section 10. Upon the payment of the sum of \$155,450.00 to the State of Illinois, and subject to the conditions set forth in Section 90 of this Act, the Secretary of the Department of Transportation is authorized to convey by quitclaim deed all right, title and interest in and to the following described land in Tazewell County, Illinois, to the City of East Peoria:

Parcel No. 409564V

TRACT 1

A PART OF LOT 12 AS SHOWN ON THE ASSESSORS PLAT FOR TAXATION AND RECORDED IN PLAT BOOK G, PAGE 60 AT THE TAZEWELL COUNTY RECORDERS OFFICE, SAID ASSESSORS PLAT BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 26 NORTH, RANGE 4 WEST OF THE THIRD PRINCIPAL MERIDIAN,

[July 24, 2004]

TAZEWELL COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF WASHINGTON STREET WITH THE FORMER SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE TOLEDO, PEORIA AND WESTERN RAILWAY COMPANY (CONVEYED TO THE CITY OF EAST PEORIA PER DOCUMENT #01-56295 AS RECORDED AT THE TAZEWELL COUNTY RECORDERS OFFICE), SAID INTERSECTION ALSO BEING THE NORTH MOST CORNER OF SAID LOT 12, THENCE SOUTH 18°-12'-34" EAST (BEARINGS ARE FOR DESCRIPTIVE PURPOSES ONLY), ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF WASHINGTON STREET, SAID LINE ALSO BEING THE WESTERLY LINE OF SAID LOT 12, A DISTANCE OF 36.73 FEET TO A POINT 50.00 FEET NORMALLY DISTANT NORTHEAST OF THE EXISTING CENTERLINE OF WASHINGTON STREET STATION 295+64.09, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED:

FROM THE POINT OF BEGINNING, THENCE IN A SOUTHEASTERLY DIRECTION ALONG A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 55.00 FEET AND AN ARC LENGTH OF 47.95 FEET BEING SUBTENDED BY A CHORD BEARING SOUTH 18°-12'-34" EAST, AND A CHORD LENGTH OF 46.45 FEET TO A POINT ON SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF WASHINGTON STREET, SAID POINT BEING 50.00 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF WASHINGTON STREET STATION 296+10.54; THENCE NORTH 18°-12'-34" WEST, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 46.45 FEET TO THE POINT OF BEGINNING, CONTAINING 0.004 ACRES (161 SQUARE FEET) MORE OR LESS, SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAY OF RECORD.

TRACT 2

A PART OF LOTS 10 AND 11 AS SHOWN ON THE ASSESSORS PLAT FOR TAXATION AND RECORDED IN PLAT BOOK G, PAGE 60 AT THE TAZEWELL COUNTY RECORDERS OFFICE, AND PART OF THE WEST HALF OF SECTION 29, TOWNSHIP 26 NORTH, RANGE 4 WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 11, SAID POINT ALSO BEING ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF WASHINGTON STREET AND 234.17 FEET NORMALLY DISTANT NORTHEAST OF THE EXISTING CENTERLINE OF F.A.U. ROUTE 6713 STATION 35+18.44 AS THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED:

FROM THE POINT OF BEGINNING, THENCE SOUTH 18°-12'-34" EAST (BEARINGS ARE FOR DESCRIPTIVE PURPOSES ONLY), ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF WASHINGTON STREET, A DISTANCE OF 31.84 FEET TO A POINT ON THE EXISTING SOUTHERLY RIGHT-OF-WAY LINE OF FAU ROUTE 6713, SAID POINT BEING 233.45 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF F.A.U. ROUTE 6713 STATION 35+50.27; THENCE SOUTH 71°-53'-19" WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 101.16 FEET TO A POINT ON THE EXISTING EASTERLY RIGHT-OF-WAY LINE OF F.A.U. ROUTE 6713, SAID POINT BEING 132.32 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF F.A.U. ROUTE 6713 STATION 35+47.76; THENCE SOUTH 18°-29'-25" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 153.11 FEET TO A POINT 129.54 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE STATION 37+00.85; THENCE SOUTH 70°-29'-56" WEST, A DISTANCE OF 54.54 FEET TO A POINT 75.00 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE STATION 37+00.82; THENCE NORTH 19°-31'-49" WEST, A DISTANCE OF 204.49 FEET TO A POINT ON THE EXISTING NORTHERLY RIGHT OF WAY LINE OF FAU ROUTE 6713, SAID POINT BEING 75.00 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE STATION 34+96.33; THENCE NORTH 71°-53'-19" EAST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A

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DISTANCE OF 159.65 FEET TO A POINT ON SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF WASHINGTON STREET, SAID POINT BEING 234.60 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF F.A.U. ROUTE 6713 STATION 35+00.28; THENCE SOUTH 18°-12'-34" EAST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 18.16 FEET TO THE POINT OF BEGINNING, CONTAINING 0.380 ACRES (16,555 SQUARE FEET) MORE OR LESS, SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAY OF RECORD.

THE TOTAL AREA OF SAID TRACT 1 AND TRACT 2 COMBINED IS 0.384 ACRES (16,716 SQUARE FEET), MORE OR LESS.

Parcel No. 409568V

A tract of land being part of west half of the Southeast Quarter of Section 29, Township 26 North, Range 4 West of the Third Principal Meridian, Tazewell County, Illinois and being more particularly described as follows:

Commencing at the intersection of the former southwesterly right-of-way line of the Toledo, Peoria and Western Railway Company with the northeasterly right-of-way line of Washington Street, said point also being the most northerly corner of Lot 12 of the Assessor's Plat as recorded in Plat Book "G", Page 60 at the Tazewell County Recorders Office (the following 3 courses are along said former right-of-way line of the Toledo, Peoria and Western Railway Company); thence South 30 degrees 16 minutes 06 seconds East, (bearings are for descriptive purposes only) a distance of 214.54 feet; thence North 71 degrees 47 minutes 26 seconds East, a distance of 12.27 feet; thence South 30 degrees 16 minutes 06 seconds East, a distance of 167.90 feet to a point on the northerly right-of-way line of River Road, said point being 52.03 feet normally distant northwest of the existing centerline of said River Road station 115+74.49 as the Point of Beginning:

Thence South 30 degrees 16 minutes 06 seconds East, a distance of 5.69 feet to a point being 46.36 feet normally distant northwest from said centerline station 115+74.49; thence South 59 degrees 46 minutes 11 seconds West, a distance of 12.00 feet to a point being on the easterly line of Lot 16 of said Assessor's Plat and being 47.41 feet normally distant northwest from said centerline station 115+86.94; thence North 30 degrees 16 minutes 06 seconds West, along said easterly line, a distance of 8.12 feet to a point being 55.49 feet normally distant northwest from said centerline station 115+86.24, said point also being on said existing northerly right-of-way line of River Road; thence North 71 degrees 10 minutes 59 seconds East, along said existing northerly right-of-way line, a distance of 12.24 feet to the Point of Beginning and containing 83 square feet, more or less, or 0.002 acres, more or less.

Parcel No. 409569V

A tract of land being part of former Lot 16 of the Assessor's Plat as recorded in Plat Book "G", Page 60 at the Tazewell County Recorders Office and all being a part of the west half of the Southeast Quarter of Section 29, Township 26 North, Range 4 West of the Third Principal Meridian, Tazewell County, Illinois and being more particularly described as follows:

Commencing at the intersection of the former southwesterly right-of-way line of the Toledo, Peoria and Western Railway Company with the northeasterly right-of-way line of Washington Street, said point also being the most northerly corner of Lot 12 of said Assessor's Plat: thence South 18 degrees 12 minutes 34 seconds East, (bearings are for descriptive purposes only) a distance of 374.81 feet to the northwesterly corner of said Lot 16 said point being 78.10 feet normally distant northwest of the existing centerline of River Road station 116+62.87 and on the existing northerly right-of-way line of said River Road as the Point of Beginning:

Thence North 71 degrees 10 minutes 59 seconds East, along said northerly right-of-way line, a distance of 79.90 feet to the northeasterly corner of said Lot 16 and being 55.49 feet normally distant northwest of said existing centerline of River Road station 115+86.24; thence South 30 degrees 16 minutes 06 seconds East, along the easterly line of said Lot 16, a distance of 8.12 feet to a point being 47.41 feet normally distant northwest of said existing centerline of River Road station 115+86.94;

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thence South 59 degrees 46 minutes 11 seconds West, a distance of 83.42 feet to a point being 54.71 feet normally distant northwest of the said existing centerline of River Road station 116+70.04; thence North 18 degrees 12 minutes 34 seconds West, a distance of 24.46 feet to the Point of Beginning and containing 1,316 square feet, more or less, or 0.030 acres, more or less.

The total area contained is 74,653 square feet, more or less, or 1.713 acre, more or less.

AND

The easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Tazewell County, Illinois.

Parcel No. 409562V

A PART OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 26 NORTH, RANGE 4 WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 6 AS SHOWN ON THE ASSESSORS PLAT FOR TAXATION IN PART OF SECTION 29, SAID POINT BEING 272.78 FEET NORMALLY DISTANT NORTHEAST OF THE EXISTING CENTERLINE OF CAMP STREET (S.B.I. ROUTE 8) STATION 320+71.75 AND ALSO BEING ON THE GOVERNMENT HARBOR LINE OF THE ILLINOIS RIVER; THENCE SOUTH 77°-39'-25" WEST (BEARINGS ARE FOR DESCRIPTIVE PURPOSES ONLY), ALONG SAID GOVERNMENT HARBOR LINE, A DISTANCE OF 242.08 FEET TO A POINT 64.12 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF CAMP STREET (S.B.I. ROUTE 8) STATION 319+49.03, SAID POINT BEING ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF CAMP STREET (S.B.I. ROUTE 8) AND THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED:

FROM THE POINT OF BEGINNING, THENCE SOUTH 28°-25'-46" EAST, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF CAMP STREET, A DISTANCE OF 81.18 FEET TO A POINT 43.96 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF CAMP STREET (S.B.I. ROUTE 8) STATION 320+27.66, SAID POINT BEING ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE TOLEDO, PEORIA AND WESTERN RAILWAY COMPANY, SAID LINE ALSO BEING THE EASTERLY LINE OF AN UNRECORDED PERPETUAL EASEMENT FOR ROADWAY PURPOSES DATED OCTOBER 3, 1925; THENCE IN A NORTHWESTERLY DIRECTION, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, ALONG A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 1196.28 FEET AND AN ARC LENGTH OF 90.00 FEET BEING SUBTENDED BY A CHORD BEARING NORTH 37°-43'-36" WEST, AND A CHORD LENGTH OF 89.98 FEET TO A POINT 51.93 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF CAMP STREET (S.B.I. ROUTE 8) STATION 319+38.04; THENCE NORTH 18°-00'-22" WEST, A DISTANCE OF 43.00 FEET TO A POINT 69.96 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF CAMP STREET (S.B.I. ROUTE 8) STATION 318+99.00; THENCE NORTH 46°-59'-38" EAST, A DISTANCE OF 6.98 FEET TO A POINT 76.95 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF CAMP STREET (S.B.I. ROUTE 8) STATION 318+98.98, SAID POINT BEING ON SAID EASTERLY RIGHT-OF-WAY LINE OF CAMP STREET; THENCE SOUTH 28°-25'-46" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 51.67 FEET TO THE POINT OF BEGINNING, CONTAINING 0.024 ACRES (1,051 SQUARE FEET), MORE OR LESS, SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAY OF RECORD.

Parcel No. 409567V

A PART OF THE NORTH HALF AND SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 26 NORTH, RANGE 4 WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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COMMENCING AT THE SOUTHWEST CORNER OF LOT 9 AS SHOWN ON THE ASSESSORS PLAT FOR TAXATION IN PART OF SECTION 29, SAID POINT ALSO BEING ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF CAMP STREET (S.B.I. ROUTE 8) AND 29.79 FEET NORMALLY DISTANT NORTHEAST OF THE EXISTING CENTERLINE OF CAMP STREET STATION 328+16.11 AS THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; FROM THE POINT OF BEGINNING, THENCE SOUTH 30°-16'-06" EAST (BEARINGS ARE FOR DESCRIPTIVE PURPOSES ONLY), ALONG SAID RIGHT-OF-WAY LINE OF CAMP STREET, A DISTANCE OF 21.55 FEET TO A POINT 29.73 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF CAMP STREET STATION 328+37.66; THENCE SOUTH 66°-41'-57" WEST, A DISTANCE OF 60.45 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF CAMP STREET, SAID POINT BEING 30.25 FEET NORMALLY DISTANT SOUTHWEST OF SAID EXISTING CENTERLINE OF CAMP STREET STATION 328+30.17; THENCE NORTH 30°-16'-06" WEST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 696.88 FEET TO A POINT 24.96 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF CAMP STREET STATION 321+36.70; THENCE IN A NORTHWESTERLY DIRECTION, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, ALONG A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 1196.28 FEET AND AN ARC LENGTH OF 31.60 FEET BEING SUBTENDED BY A CHORD BEARING NORTH 31°-01'-31" WEST, AND A CHORD LENGTH OF 31.60 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF CAMP STREET, SAID POINT BEING 31.41 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF CAMP STREET STATION 321+05.77; (THE FOLLOWING 3 COURSES ARE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE) THENCE SOUTH 42°-58'-09" EAST, A DISTANCE OF 157.39 FEET TO A POINT 31.86 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF CAMP STREET STATION 322+63.15; THENCE IN A SOUTHEASTERLY DIRECTION, ALONG A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 1303.60 FEET AND AN ARC LENGTH OF 163.00 FEET BEING SUBTENDED BY A CHORD BEARING SOUTH 39°-23'-13" EAST, AND A CHORD LENGTH OF 162.89 FEET TO A POINT 33.30 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF CAMP STREET STATION 324+21.41; THENCE SOUTH 30°-16'-06" EAST, A DISTANCE OF 399.89 FEET TO THE POINT OF BEGINNING, CONTAINING 0.815 ACRES (35,515 SQUARE FEET), MORE OR LESS, SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAY OF RECORD.

Parcel No. 409560V

A PART OF THE NORTH HALF OF SECTION 29, TOWNSHIP-26-NORTH, RANGE-4-WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE FORMER SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID TOLEDO, PEORIA AND WESTERN RAILWAY COMPANY WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF WASHINGTON STREET; THENCE NORTH 18°-12'-34" WEST (BEARINGS ARE FOR DESCRIPTIVE PURPOSES ONLY), ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 106.18 FEET TO A POINT 50.00 FEET NORMALLY DISTANT NORTHEAST OF THE EXISTING CENTERLINE OF WASHINGTON STREET STATION 294+21.19, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED:

FROM THE POINT OF BEGINNING, THENCE CONTINUING NORTH 18°-12'-34" WEST, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 183.08 FEET TO THE INTERSECTION OF SAID NORTHEASTERLY RIGHT-OF-WAY LINE WITH THE SOUTHWESTERLY LINE OF A PERPETUAL EASEMENT FOR HIGHWAY PURPOSES GRANTED TO THE STATE OF ILLINOIS, DEPARTMENT OF PUBLIC WORKS AND BUILDINGS, DIVISION OF HIGHWAYS ON OCTOBER 3, 1925 BY THE TOLEDO, PEORIA AND WESTERN RAILWAY COMPANY AND SAMUEL M. RUSSELL, RECEIVER, SAID POINT BEING 50.00 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF WASHINGTON STREET STATION 292+38.10; THENCE SOUTH 30°-05'-41" EAST, ALONG SAID SOUTHWESTERLY LINE OF A PERPETUAL EASEMENT, A DISTANCE

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OF 97.44 FEET TO A POINT 70.07 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF WASHINGTON STREET STATION 293+33.45; THENCE SOUTH 37°-03'-22" EAST, ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 117.06 FEET TO A POINT 107.88 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF WASHINGTON STREET STATION 294+44.24; THENCE NORTH 78°-11'-34" WEST, A DISTANCE OF 46.06 FEET TO A POINT 68.00 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF WASHINGTON STREET STATION 294+21.19; THENCE SOUTH 71°-49'-14" WEST, A DISTANCE OF 18.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.101 ACRES (4,400 SQUARE FEET) MORE OR LESS, SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAY OF RECORD.

Parcel No. 409561V

A PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 26 NORTH, RANGE 4 WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE FORMER SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE TOLEDO, PEORIA AND WESTERN RAILWAY COMPANY WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF WASHINGTON STREET (THE FOLLOWING 3 COURSES ARE ALONG SAID FORMER RIGHT-OF-WAY LINE OF THE TOLEDO, PEORIA AND WESTERN RAILWAY COMPANY); THENCE SOUTH 30°-16'-06" EAST (BEARINGS ARE FOR DESCRIPTIVE PURPOSES ONLY), A DISTANCE OF 214.54 FEET; THENCE NORTH 71°-47'-26" EAST, A DISTANCE OF 12.27 FEET; THENCE SOUTH 30°-16'-06" EAST, A DISTANCE OF 167.90 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF RIVER ROAD (F.A.U. ROUTE 6713), SAID POINT BEING 52.03 FEET NORMALLY DISTANT NORTHWEST OF THE EXISTING CENTERLINE OF RIVER ROAD STATION 115+74.49 AND THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED:

FROM THE POINT OF BEGINNING, THENCE NORTH 27°-32'-28" EAST, A DISTANCE OF 103.98 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF CAMP STREET (S.B.I. ROUTE 8), SAID POINT BEING 99.57 FEET NORMALLY DISTANT NORTHWEST OF SAID EXISTING CENTERLINE OF RIVER ROAD STATION 114+82.01; THENCE SOUTH 30°-16'-06" EAST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 68.91 FEET TO A POINT 30.93 FEET NORMALLY DISTANT NORTHWEST OF SAID EXISTING CENTERLINE OF RIVER ROAD STATION 114+88.00; THENCE SOUTH 66°-41'-57" WEST, A DISTANCE OF 42.61 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF RIVER ROAD, SAID POINT BEING 39.75 FEET NORMALLY DISTANT NORTHWEST OF SAID EXISTING CENTERLINE OF RIVER ROAD STATION 115+29.68; THENCE IN A SOUTHWESTERLY DIRECTION, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, ALONG A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 32.46 FEET AND AN ARC LENGTH OF 1.36 FEET BEING SUBTENDED BY A CHORD BEARING SOUTH 67°-53'-51" WEST, AND A CHORD LENGTH OF 1.36 FEET TO A POINT 40.06 FEET NORMALLY DISTANT NORTHWEST OF SAID EXISTING CENTERLINE OF RIVER ROAD STATION 115+31.00; THENCE IN A NORTHWESTERLY DIRECTION, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, ALONG A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1238.25 FEET AND AN ARC LENGTH OF 45.11 FEET BEING SUBTENDED BY A CHORD BEARING SOUTH 70°-08'-22" WEST, AND A CHORD LENGTH OF 45.11 FEET TO THE POINT OF BEGINNING, CONTAINING 0.071 ACRES (3,098 SQUARE FEET) MORE OR LESS, SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAY OF RECORD.

Section 90. The Secretary of Transportation shall obtain a certified copy of the portion of this Act containing the title, enacting clause, the effective date, the appropriate Section containing the land description of the property to be transferred or otherwise affected under this Article within 60 days after its effective date and, upon receipt of payment required by the Section shall record the certified document in the Recorder's Office in the county which the land is located.

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

AMENDMENT NO. 3

AMENDMENT NO. 3. Amend Senate Bill 1737, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Director of Agriculture, on behalf of the State of Illinois, is authorized to exchange certain real property in Perry County, Illinois, hereinafter referred to as Parcel 1, for certain real property in Perry County, Illinois, hereinafter referred to as Parcel 2, with David Heal and Lynn A. Heal, such Parcels being described as follows:

PARCEL 1

GENERAL DESCRIPTION

A part of the Northwest Quarter of the Northeast Quarter of Section 29, Township 6 South, Range 1 West of the Third Principal Meridian, Perry County, Illinois

DETAILED DESCRIPTION

Commencing at the Southwest Corner of the said Northwest Quarter of the Northeast Quarter; thence Easterly along the South line of the said Northwest Quarter of the Northeast Quarter a distance of 62.62 feet to an iron rebar found in the East Right-of-Way line of U.S. Route 51; thence Northerly along the said East Right-of-Way said line being 60 feet Easterly of the centerline of U.S. Route 51 a distance of 854.56 feet to an iron rebar found being the point of beginning for this description; from said point of beginning continuing Northerly along said Right-of-Way line a distance of 438.91 feet to a point on the proposed South Right-of-Way line of Bob Green Drive; thence Easterly along the proposed South Right-of-Way line of Bob Green Drive with a deflection angle of 90 degrees 24 minutes 35 seconds a distance of 576.05 feet to a point; thence Southerly along a line with a deflection of 89 degrees 35 minutes 25 seconds a distance of 435.46 feet to a point; thence Westerly along a line with a deflection of 90 degrees 03 minutes 56 seconds a distance of 576.04 feet to the point of beginning containing 5.78 acres more or less.

PARCEL 2

Part of the NW 1/4 of the NE 1/4 of Section 20, Township 6 South, Range 1 West of the Third Principal Meridian, Perry County, Illinois, more particularly described as follows, to wit:

Commencing at the Northwest corner of the NW 1/4 of the NE 1/4 of Section 20, Township 6 South, Range 1 West of the Third Principal Meridian, Perry County, thence S 00 degrees 02 minutes 14 seconds E, an assumed bearing along the West line of the NW 1/4 of the NE 1/4 of said Section 20, a distance of 1132.54 feet, to the point of beginning for the tract herein described; thence continuing S 00 degrees 02 minutes 14 seconds E, along the West line of the NW 1/4 of the NE 1/4 of said Section 20, a distance of 143.52 feet; thence S 89 degrees 04 minutes 51 seconds E, a distance of 175.04 feet, to an iron pin; thence S 00 degrees 00 minutes 30 seconds E, a distance of 75.00 feet, to an iron pin in the South line of the NW 1/4 of the NE 1/4 of said Section 20; thence S 89 degrees 03 minutes 51 seconds E, along the South line of the NW 1/4 of the NE 1/4 of said Section 20, a distance of 1137.90 feet, to an iron pin; thence N 00 degrees 00 minutes 58 seconds W, a distance of 363.05 feet, to an iron pin; thence N 89 degrees 03 minutes 51 seconds W, a distance of 654.24 feet, to an iron pin; thence S 00 degrees 12 minutes 17 seconds E, a distance of 112.02 feet, to an iron pin; thence N 88 degrees 46 minutes 16 seconds W, a distance of 420.40 feet, to an iron pin; thence S 41 degrees 29 minutes 05 seconds W, a distance of 38.74 feet, to an iron pin; thence S 89 degrees 03 minutes 07 seconds W, a distance of 154.42 feet, to the point of beginning, containing 8.80 acres, more or less.

Section 10. Whereas, the transaction described in Section 5 will be to the mutual advantages of both parties, each party shall be responsible for any and all title costs associated with their respective properties.

Section 15. The Director of Agriculture shall obtain an opinion of title from the Illinois Attorney General certifying that the State of Illinois will receive merchantable title to the real property referred to as Parcel 2 in Section 5.

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Section 20. The Director of Agriculture shall obtain a certified copy of the portions of this Act containing the title, the enacting clause, the effective date, the appropriate Sections containing the land descriptions of property listed in Section 5 to be transferred, and this Section within 60 days after this Act's effective date and, upon receipt of payment or other consideration required by the appropriate Sections, shall record the certified document in the Recorder's office in the county in which the land is located.

Section 25. The Code of Civil Procedure is amended by adding Sections 7-103.113, 7-103.114, 7-103.115, 7-103.116, 7-103.117, 7-103.118, 7-103.119, 7-103.120, and 7-103.121 as follows:
(735 ILCS 5/7-103.113 new)

Sec. 7-103.113. Quick-take; Village of Bridgeview. Quick-take proceedings under Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 93rd General Assembly by the Village of Bridgeview for the purpose of acquiring property for a municipal sports stadium and parking areas, team practice facilities, and other related uses as follows:

Parcel 1:

That part of the West half of the Southwest Quarter of Section 30, Township 38 North, Range 13 East of the Third Principal Meridian, described as follows:

Beginning on the East line of the West half of the Southwest quarter with the North line of M.S.A. Bridgeview Court Subdivision recorded on June 8, 1988, as Document Number 88246171, also being the South line of the North 1090 feet of the said Southwest quarter of Section 30; thence South 89 degrees 49 minutes 10 seconds West along said line 33.00 feet; thence North 16 degrees 00 minutes 23 seconds West 70.00 feet; thence South 88 degrees 47 minutes 22 seconds West 444.48 feet; thence South 47 degrees 23 minutes 28 seconds West 65.00 feet to the North line of said M.S.A. Bridgeview Court Subdivision, also being the South line of the North 1090 feet of the Southwest quarter of Section 30; thence South 89 degrees 49 minutes 10 seconds East along said lines to the point of beginning.

ALSO

That part of the West half of the Southwest Quarter of Section 30, Township 38 North, Range 13 East of the Third Principal Meridian, described as follows:

Beginning at the intersection of the South line of the North 1090 feet of said Southwest quarter also being the North line of M.S.A. Bridgeview Court and the West line of Harlem Avenue as dedicated, being 50 feet East of the West of said Southwest quarter; thence North 0 degrees 16 minutes 38 seconds West 349.88 feet along the said East line of Harlem Avenue to the Southwest corner of the land conveyed by Document 0333942009; thence North 89 degrees 46 minutes 35 seconds East to the Northwest corner of the land conveyed by document 99855126; thence South along the West line of the land conveyed by said Document 99855126, 350 feet to the South line of the North 1090 feet also being the North line of M.S.A. Bridgeview Court; thence West along said line to the point of beginning, in Cook County, Illinois.

Parcel 2:

Lots 1, 2, 4, 6, 7 and 8, in M.S.A. Bridgeview Court, being a Subdivision of part of the West half of the southwest quarter of Section 30, Township 38 North, Range 13 East of the Third Principal Meridian, recorded June 7, 1988 as Document 88246171, except that part of Lot 1 conveyed by Deed recorded as document No. 99016579, except that part of Lot 6 conveyed by Deed recorded as Document No. 93589062, except that part of Lot 7 conveyed in Deed recorded as Document No. 91540434, and except that part of Lot 8 recorded as Document No. 0010326872, in Cook County, Illinois.

Parcel 3:

Easement appurtenant to Parcel 2 for ingress, egress, access, parking, deposit and retention of storm

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water over the common areas as described and set forth in Construction, Operation and Reciprocal Easement Agreement made by and between Bridgeview Associates, the May Department Stores Company, and Midfield, Inc., dated July 25, 1988 and recorded July 29, 1988 as Document No. 88340706.

(735 ILCS 5/7-103.114 new)

Sec. 7-103.114. Quick-take; City of Ottawa. Quick-take proceedings under Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 93rd General Assembly by the City of Ottawa for the acquisition of property for the purpose of immediate eradication of a blighted area resulting from the destruction of most improvements because of fire as follows:

All lots in Block 18 in the Original Town of Ottawa, now the City of Ottawa, in LaSalle County, Illinois.

(735 ILCS 5/7-103.115 new)

Sec. 7-103.115. Quick-take; City of Ottawa. Quick-take proceedings under Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 93rd General Assembly by the City of Ottawa for the acquisition of property for the purpose of installation of public utilities as follows:

That part of the Southeast Quarter of Section 8, Township 33 North, Range 4 East of the Third Principal Meridian described as follows:

Commencing at the Northwest corner of the Southeast Quarter of said Section 8; thence South 89 degrees 41 minutes 32 seconds East 48.60 feet along the North line of the said Southeast Quarter to the intersection of said North line and the North Right of Way line of the CSX Railroad which point is also the Point of Beginning; thence continuing South 89 degrees 41 minutes 32 seconds East 1303.50 feet along said North line to the Northeast corner of the West Half of the Southeast Quarter of said Section 8; thence Southeasterly on a 573.75 foot radius curve to the right 564.56 feet, whose chord bears South 33 degrees 50 minutes 57 seconds East 542.06 feet to a point on the North Right of Way line of the CSX railroad; thence North 74 degrees 06 minutes 16 seconds West 1669.24 feet to the Point of Beginning containing 6.140 acres more or less and all situated in LaSalle County, Illinois.

(735 ILCS 5/7-103.116 new)

Sec. 7-103.116. Quick-take; City of Ottawa. Quick-take proceedings under Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 93rd General Assembly by the City of Ottawa for the acquisition of property for the purpose of installing a rail spur as follows:

That Portion of the East Half of the Northeast Quarter of Section 8, Township 33 North, Range 4 East of the Third Principal Meridian lying South of the public highway between Ottawa and Marseilles which crosses the said East Half of the Northeast Quarter aforesaid on the northeast portion thereof; ALSO that portion of the Southeast Quarter of Section 8, Township 33 North, Range 4 East of the Third Principal Meridian lying North of the right of way of the Chicago, Rock Island & Pacific Railroad Company; EXCEPTING therefrom that part conveyed to the State of Illinois for highway purposes by deed recorded as Document #558356, all situated in LaSalle County, Illinois.

(735 ILCS 5/7-103.117 new)

Sec. 7-103.117. Quick-take; City of Oakbrook Terrace. Quick-take proceedings under Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 93rd General Assembly by the City of Oakbrook Terrace for the acquisition of property for the purpose of water main construction as follows:

Beginning at a point on the east line of the southeast ¼ of Section 21-39-11, located a distance of 520 feet north of the point of intersection of the east line of the southeast ¼ of Section 21 with the present northerly right of way line of Butterfield Road. Thence westerly along a line which forms an angle of 90 degrees 00 minutes 00 seconds to the east line of the southeast ¼ of Section 21, a distance of 340 feet, to an angle point; Thence southwesterly from said angle point along a line which forms an angle of 137 degrees 49 minutes 39 seconds as measured clockwise from west to south, a distance of 297 feet, to a point located 30 feet southwest and perpendicular to the south edge of the existing private road; Thence northwesterly along a curved line located 30 feet south of and parallel to the south edge of the existing private road, through an internal angle of 101 degrees 2 minutes 40 seconds, measured counterclockwise from the northeast to the northwest, a distance of 441.7 feet, to a point located 30 feet southeast and perpendicular to the south edge of the existing private road; Thence,

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northwesterly along a straight line perpendicular to the existing private road, a distance of 30 feet to a point on the south edge of the existing private road; Thence northeasterly and southeasterly along the curved south edge of the existing private road, a distance of 461.5 feet, to a point on the south edge of the existing private road; Thence northeasterly along a straight line and perpendicular to the south edge of the existing private road, a distance of 277 feet, to an angle point (iron pipe); Thence easterly along a straight line, from said angle point, which forms an angle of 137 degrees 49 minutes 39 seconds as measured counterclockwise from south to east, a distance of 350 feet to a point located on the east line of the southeast ¼ of Section 21-39-11 a distance of 30 feet to the point of beginning.

(735 ILCS 5/7-103.118 new)

Sec. 7-103.118. Quick-take; Ogle County. Quick-take proceedings under Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 93rd General Assembly by Ogle County for the acquisition of property for the purpose of the construction of a railroad overpass as follows:

A tract of land in the Northeast Quarter in Section 32, Township 40 North, Range 1 East of the Third Principal Meridian, the Township of Flagg, the County of Ogle and the State of Illinois, bounded and described as follows:

Commencing at the Southeast Corner of the Northeast Quarter of said Section 32; thence North 0 degrees 37 minutes 41 seconds West along the East line of said Northeast Quarter, a distance of 420.21 feet to the intersection of said East Line and the Northwesterly Right-of-Way Line of the Union Pacific Railroad, said point being the Point of Beginning of the hereinafter described tract of land; thence continuing North 0 degrees 37 minutes 41 seconds West along said East Line, a distance of 1466.85 feet; thence South 89 degrees 22 minutes 02 seconds West, a distance of 32.74 feet to the existing Westerly Right-of-Way Line of a public road designated Thorpe Road; thence South 2 degrees 41 minutes 56 seconds West, a distance of 67.11 feet; thence South 42 degrees 09 minutes 09 seconds West, a distance of 34.04 feet to the beginning of a curve; thence Southwesterly along a line being curved to the left, having a radius of 183.00 feet a central angle of 90 degrees 00 minutes 00 seconds, a chord bearing of South 44 degrees 22 minutes 02 seconds West and an arc distance of 287.46 feet to the termination of said curve; thence South 0 degrees 37 minutes 58 seconds East parallel with the Centerline of said Thorpe Road, a distance of 949.35 feet to the beginning of a curve; thence Southwesterly a line being curved to the right, having a radius of 487.87 feet a central angle of 62 degrees 20 minutes 35 seconds, a chord bearing of South 30 degrees 32 minutes 20 seconds West and an arc distance of 330.95 feet to the Northwesterly Right-of-Way Line of a public road designated Titus Road; thence South 28 degrees 17 minutes 23 seconds East, a distance of 66.00 to the Northwesterly Right-of-Way Line of the Union Pacific Railroad; thence Northeasterly along a line being curved to the left, Having a radius of 602.66 feet, a central angle of 62 degrees 20 minutes 35 seconds, a chord bearing of North 30 degrees 32 minutes 20 seconds East and an arc distance of 602.66 to the termination of said curve; thence North 0 degrees 37 minutes 58 seconds, West parallel with the Centerline of said Thorpe Road, a distance of 949.35 feet to the beginning of a curve; thence Northeasterly along a line being curved to the right, having a radius of 117.00 feet, a central angle of 90 degrees; 00 minutes 00 seconds, a chord bearing of North 44 degrees 22 minutes 02 seconds East and an arc distance of 183.79 Feet to the termination of said curve; thence South 33 degrees 48 minutes 48 seconds East, a distance of 29.87 feet to the Westerly Right-of-Way Line of said Thorpe Road; thence South 2 degrees 41 minutes 56 seconds West, a distance of 1141.69 feet; thence South 0 degrees 37 minutes 58 seconds East parallel with the Centerline of said Thorpe Road, a distance of 201.54 feet to the Northwesterly Right-of-Way Line of the Union Pacific Railroad; thence North 61 degrees 42 minutes 17 seconds East along said Northwesterly Right-of-Way Line, a distance of 123.77 feet to the Point of Beginning.

Containing 5.292 acres, more or less.

(735 ILCS 5/7-103.119 new)

Sec. 7-103.119. Quick-take; Village of Plainfield. Quick-take proceedings under Section 7-103 may be used for the period of 12 months after the effective date of this amendatory Act of the 93rd General Assembly by the Village of Plainfield for the acquisition of the following described property for the purposes of water, sewer, and roadway extensions:

That part of Outlot "A" in Indian Oaks Estates Unit Six, a subdivision of part of the Southeast Quarter of Section 17 in Township 36 North and Range 9 East of the Third Principal Meridian, in Will County, Illinois, according to the plat thereof recorded April 6, 1989 as Document Number

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R89-15582, described as follows:

Beginning at the southeasterly corner of Outlot A, thence South 45 degrees 31 minutes 50 seconds West along the south line of the aforesaid Outlot 147.49 feet to the southwesterly corner of the aforesaid Outlot; thence North 0 degrees 0 minutes 26 seconds East along the west line of the aforesaid Outlot 221.82 feet; thence on a northwesterly bearing 134.05 feet to a point on the east line of the aforesaid Outlot that is 201.53 feet north of the southeasterly corner; thence southerly along the east line of the aforesaid Outlot 201.53 feet to the point of beginning; containing 0.511 acres, more or less, all in Will County, Illinois.

Pin No: 03-17-408-023-0000

(735 ILCS 5/7-103.120 new)

Sec. 7-103.120. Quick-take; Village of Plainfield. Quick-take proceedings under Section 7-103 may be used for the period of 12 months after the effective date of this amendatory Act of the 93rd General Assembly by the Village of Plainfield for the acquisition of the following described property for the purposes of roadway extensions and traffic signal installation:

Beginning at a P.K. Nail marking the southwest corner of said Section 33; thence on an assumed bearing of North 00 degrees 30 minutes 36 seconds West 523.00 feet along the west line of the Southwest Quarter of said Section 33; thence North 89 degrees 29 minutes 19 seconds East 40.00 feet; thence South 00 degrees 30 minutes 36 seconds East 379.66 feet along a line 40.00 feet easterly of and parallel to the west line of the Southwest Quarter of said Section 33; thence South 26 degrees 12 minutes 37 seconds East 115.56 feet to a point on the northerly existing right of way line of 135th Street (Pilcher Road); thence South 00 degrees 00 minutes 24 seconds East 40.00 feet to a point on the south line of the Southwest Quarter of said Section 33; thence South 89 degrees 59 minutes 36 seconds West 89.76 feet along the south line of the Southwest Quarter of said Section 33 to the Point of Beginning.

Pin No: 01-33-300-008

(735 ILCS 5/7-103.121 new)

Sec. 7-103.121. Quick-take; Rochester Road District. Quick-take proceedings under Section 7-103 may be used for a period of 12 months from the effective date of this amendatory Act of the 93rd General Assembly by Rochester Road District, for the purpose of road construction and maintenance, for the acquisition of property legally described as:

Parcel No. 3

A part of the East Half of the Southwest Quarter of Section 6, Township 15 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:

Commencing at the Northeast corner of the Southwest Quarter of said Section 6; thence South 0 degrees 44 minutes 49 seconds East along the east line of the Southwest Quarter of said Section 6, a distance of 326.11 feet to the point of beginning; thence continuing South 0 degrees 44 minutes 49 seconds East, 359.27 feet; thence North 86 degrees 59 minutes 03 seconds West, 35.08 feet; thence North 0 degrees 44 minutes 49 seconds West, 359.27 feet; thence South 86 degrees 59 minutes 03 seconds East, 35.08 feet to the point of beginning.

All of the above excludes that portion now in use as a public road, said tract to be conveyed containing 0.124 acres, more or less. Said tract being shown by the plat hereto attached and considered a part hereof.

Parcel No. 6

A part of the East Half of the Southwest Quarter of Section 6, Township 15 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:

Commencing at the Northeast corner of the Southwest Quarter of said Section 6; thence South 0 degrees 44 minutes 49 seconds East along the east line of the Southwest Quarter of said Section 6, a distance of 276.00 feet to the point of beginning; thence continuing South 0 degrees 44 minutes 49 seconds East, 50.11 feet; thence North 86 degrees 59 minutes 03 seconds West, 35.08 feet; thence North 0 degrees 44 minutes 49 seconds West, 50.11 feet; thence South 86 degrees 59 minutes 03 seconds East, 35.08 feet to the point of beginning.

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All of the above excludes that portion now in use as a public road, said tract to be conveyed containing 0.017 acres, more or less. Said tract being shown by the plat hereto attached and considered a part hereof.

Parcel No. 9

A part of the East Half of the Southwest Quarter of Section 6, Township 15 North, Range 4 West of the Third Principal Meridian, Sangamon County, Illinois, described as follows:

Beginning at the Northeast corner of the Southwest Quarter of said Section 6; thence South 0 degrees 44 minutes 49 seconds East along the east line of the Southwest Quarter of said Section 6, a distance of 276.00 feet; thence North 86 degrees 59 minutes 03 seconds West, 35.08 feet; thence North 0 degrees 44 minutes 49 seconds West, 224.01 feet; thence South 89 degrees 15 minutes 11 seconds West, 5.00 feet; thence North 0 degrees 44 minutes 49 seconds West, 49.07 feet to the north line of the Southwest Quarter of said Section 6; thence North 88 degrees 22 minutes 11 seconds East, 40.00 feet to the point of beginning.

All of the above excludes that portion now in use as a public road, said tract to be conveyed containing 0.100 acres, more or less. Said tract being shown by the plat hereto attached and considered a part hereof.

Section 30. Upon the payment of the sum of \$155,450.00 to the State of Illinois, and subject to the conditions set forth in Section 90 of this Act, the Secretary of the Department of Transportation is authorized to convey by quitclaim deed all right, title and interest in and to the following described land in Tazewell County, Illinois, to the City of East Peoria:

Parcel No. 409564V

TRACT 1

A PART OF LOT 12 AS SHOWN ON THE ASSESSORS PLAT FOR TAXATION AND RECORDED IN PLAT BOOK G, PAGE 60 AT THE TAZEWell COUNTY RECORDERS OFFICE, SAID ASSESSORS PLAT BEING A SUBDIVISION OF PART OF SECTION 29, TOWNSHIP 26 NORTH, RANGE 4 WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWell COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF WASHINGTON STREET WITH THE FORMER SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE TOLEDO, PEORIA AND WESTERN RAILWAY COMPANY (CONVEYED TO THE CITY OF EAST PEORIA PER DOCUMENT #01-56295 AS RECORDED AT THE TAZEWell COUNTY RECORDERS OFFICE), SAID INTERSECTION ALSO BEING THE NORTH MOST CORNER OF SAID LOT 12, THENCE SOUTH 18°-12'-34" EAST (BEARINGS ARE FOR DESCRIPTIVE PURPOSES ONLY), ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF WASHINGTON STREET, SAID LINE ALSO BEING THE WESTERLY LINE OF SAID LOT 12, A DISTANCE OF 36.73 FEET TO A POINT 50.00 FEET NORMALLY DISTANT NORTHEAST OF THE EXISTING CENTERLINE OF WASHINGTON STREET STATION 295+64.09, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED:

FROM THE POINT OF BEGINNING, THENCE IN A SOUTHEASTERLY DIRECTION ALONG A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 55.00 FEET AND AN ARC LENGTH OF 47.95 FEET BEING SUBTENDED BY A CHORD BEARING SOUTH 18°-12'-34" EAST, AND A CHORD LENGTH OF 46.45 FEET TO A POINT ON SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF WASHINGTON STREET, SAID POINT BEING 50.00 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF WASHINGTON STREET STATION 296+10.54; THENCE NORTH 18°-12'-34" WEST, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 46.45 FEET TO THE POINT OF BEGINNING, CONTAINING 0.004 ACRES (161 SQUARE FEET) MORE OR LESS,

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SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAY OF RECORD.

TRACT 2

A PART OF LOTS 10 AND 11 AS SHOWN ON THE ASSESSORS PLAT FOR TAXATION AND RECORDED IN PLAT BOOK G, PAGE 60 AT THE TAZEWEILL COUNTY RECORDERS OFFICE, AND PART OF THE WEST HALF OF SECTION 29, TOWNSHIP 26 NORTH, RANGE 4 WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWEILL COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 11, SAID POINT ALSO BEING ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF WASHINGTON STREET AND 234.17 FEET NORMALLY DISTANT NORTHEAST OF THE EXISTING CENTERLINE OF F.A.U. ROUTE 6713 STATION 35+18.44 AS THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED:

FROM THE POINT OF BEGINNING, THENCE SOUTH 18°-12'-34" EAST (BEARINGS ARE FOR DESCRIPTIVE PURPOSES ONLY), ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF WASHINGTON STREET, A DISTANCE OF 31.84 FEET TO A POINT ON THE EXISTING SOUTHERLY RIGHT-OF-WAY LINE OF FAU ROUTE 6713, SAID POINT BEING 233.45 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF F.A.U. ROUTE 6713 STATION 35+50.27; THENCE SOUTH 71°-53'-19" WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 101.16 FEET TO A POINT ON THE EXISTING EASTERLY RIGHT-OF-WAY LINE OF F.A.U. ROUTE 6713, SAID POINT BEING 132.32 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF F.A.U. ROUTE 6713 STATION 35+47.76; THENCE SOUTH 18°-29'-25" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 153.11 FEET TO A POINT 129.54 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE STATION 37+00.85; THENCE SOUTH 70°-29'-56" WEST, A DISTANCE OF 54.54 FEET TO A POINT 75.00 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE STATION 37+00.82; THENCE NORTH 19°-31'-49" WEST, A DISTANCE OF 204.49 FEET TO A POINT ON THE EXISTING NORTHERLY RIGHT OF WAY LINE OF FAU ROUTE 6713, SAID POINT BEING 75.00 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE STATION 34+96.33; THENCE NORTH 71°-53'-19" EAST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 159.65 FEET TO A POINT ON SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF WASHINGTON STREET, SAID POINT BEING 234.60 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF F.A.U. ROUTE 6713 STATION 35+00.28; THENCE SOUTH 18°-12'-34" EAST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 18.16 FEET TO THE POINT OF BEGINNING, CONTAINING 0.380 ACRE (16,555 SQUARE FEET) MORE OR LESS, SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAY OF RECORD.

THE TOTAL AREA OF SAID TRACT 1 AND TRACT 2 COMBINED IS 0.384 ACRES (16,716 SQUARE FEET), MORE OR LESS.

Parcel No. 409568V

A tract of land being part of west half of the Southeast Quarter of Section 29, Township 26 North, Range 4 West of the Third Principal Meridian, Tazewell County, Illinois and being more particularly described as follows:

Commencing at the intersection of the former southwesterly right-of-way line of the Toledo, Peoria and Western Railway Company with the northeasterly right-of-way line of Washington Street, said point also being the most northerly corner of Lot 12 of the Assessor's Plat as recorded in Plat Book "G", Page 60 at the Tazewell County Recorders Office (the following 3 courses are along said former right-of-way line of the Toledo, Peoria and Western Railway Company); thence South 30 degrees 16 minutes 06 seconds East, (bearings are for descriptive purposes only) a distance of 214.54 feet; thence North 71 degrees 47 minutes 26 seconds East, a distance of 12.27 feet; thence South 30 degrees 16 minutes 06 seconds East, a distance of 167.90 feet to a point on the northerly right-of-way line of

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River Road, said point being 52.03 feet normally distant northwest of the existing centerline of said River Road station 115+74.49 as the Point of Beginning:

Thence South 30 degrees 16 minutes 06 seconds East, a distance of 5.69 feet to a point being 46.36 feet normally distant northwest from said centerline station 115+74.49; thence South 59 degrees 46 minutes 11 seconds West, a distance of 12.00 feet to a point being on the easterly line of Lot 16 of said Assessor's Plat and being 47.41 feet normally distant northwest from said centerline station 115+86.94; thence North 30 degrees 16 minutes 06 seconds West, along said easterly line, a distance of 8.12 feet to a point being 55.49 feet normally distant northwest from said centerline station 115+86.24, said point also being on said existing northerly right-of-way line of River Road; thence North 71 degrees 10 minutes 59 seconds East, along said existing northerly right-of-way line, a distance of 12.24 feet to the Point of Beginning and containing 83 square feet, more or less, or 0.002 acres, more or less.

Parcel No. 409569V

A tract of land being part of former Lot 16 of the Assessor's Plat as recorded in Plat Book "G", Page 60 at the Tazewell County Recorders Office and all being a part of the west half of the Southeast Quarter of Section 29, Township 26 North, Range 4 West of the Third Principal Meridian, Tazewell County, Illinois and being more particularly described as follows:

Commencing at the intersection of the former southwesterly right-of-way line of the Toledo, Peoria and Western Railway Company with the northeasterly right-of-way line of Washington Street, said point also being the most northerly corner of Lot 12 of said Assessor's Plat: thence South 18 degrees 12 minutes 34 seconds East, (bearings are for descriptive purposes only) a distance of 374.81 feet to the northwesterly corner of said Lot 16 said point being 78.10 feet normally distant northwest of the existing centerline of River Road station 116+62.87 and on the existing northerly right-of-way line of said River Road as the Point of Beginning:

Thence North 71 degrees 10 minutes 59 seconds East, along said northerly right-of-way line, a distance of 79.90 feet to the northeasterly corner of said Lot 16 and being 55.49 feet normally distant northwest of said existing centerline of River Road station 115+86.24; thence South 30 degrees 16 minutes 06 seconds East, along the easterly line of said Lot 16, a distance of 8.12 feet to a point being 47.41 feet normally distant northwest of said existing centerline of River Road station 115+86.94; thence South 59 degrees 46 minutes 11 seconds West, a distance of 83.42 feet to a point being 54.71 feet normally distant northwest of the said existing centerline of River Road station 116+70.04; thence North 18 degrees 12 minutes 34 seconds West, a distance of 24.46 feet to the Point of Beginning and containing 1,316 square feet, more or less, or 0.030 acres, more or less.

The total area contained is 74,653 square feet, more or less, or 1.713 acre, more or less.

AND

The easement for highway purposes acquired by the People of the State of Illinois is released over and through the following described land in Tazewell County, Illinois.

Parcel No. 409562V

A PART OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 26 NORTH, RANGE 4 WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 6 AS SHOWN ON THE ASSESSORS PLAT FOR TAXATION IN PART OF SECTION 29, SAID POINT BEING 272.78 FEET NORMALLY DISTANT NORTHEAST OF THE EXISTING CENTERLINE OF CAMP STREET (S.B.I. ROUTE 8) STATION 320+71.75 AND ALSO BEING ON THE GOVERNMENT HARBOR LINE OF THE ILLINOIS RIVER; THENCE SOUTH 77°-39'-25" WEST (BEARINGS ARE FOR DESCRIPTIVE PURPOSES ONLY), ALONG SAID GOVERNMENT HARBOR LINE, A DISTANCE OF 242.08 FEET TO A POINT 64.12 FEET NORMALLY DISTANT NORTHEAST

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OF SAID EXISTING CENTERLINE OF CAMP STREET (S.B.I. ROUTE 8) STATION 319+49.03, SAID POINT BEING ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF CAMP STREET (S.B.I. ROUTE 8) AND THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED:

FROM THE POINT OF BEGINNING, THENCE SOUTH 28°-25'-46" EAST, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF CAMP STREET, A DISTANCE OF 81.18 FEET TO A POINT 43.96 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF CAMP STREET (S.B.I. ROUTE 8) STATION 320+27.66, SAID POINT BEING ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE TOLEDO, PEORIA AND WESTERN RAILWAY COMPANY, SAID LINE ALSO BEING THE EASTERLY LINE OF AN UNRECORDED PERPETUAL EASEMENT FOR ROADWAY PURPOSES DATED OCTOBER 3, 1925; THENCE IN A NORTHWESTERLY DIRECTION, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, ALONG A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 1196.28 FEET AND AN ARC LENGTH OF 90.00 FEET BEING SUBTENDED BY A CHORD BEARING NORTH 37°-43'-36" WEST, AND A CHORD LENGTH OF 89.98 FEET TO A POINT 51.93 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF CAMP STREET (S.B.I. ROUTE 8) STATION 319+38.04; THENCE NORTH 18°-00'-22" WEST, A DISTANCE OF 43.00 FEET TO A POINT 69.96 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF CAMP STREET (S.B.I. ROUTE 8) STATION 318+99.00; THENCE NORTH 46°-59'-38" EAST, A DISTANCE OF 6.98 FEET TO A POINT 76.95 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF CAMP STREET (S.B.I. ROUTE 8) STATION 318+98.98, SAID POINT BEING ON SAID EASTERLY RIGHT-OF-WAY LINE OF CAMP STREET; THENCE SOUTH 28°-25'-46" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 51.67 FEET TO THE POINT OF BEGINNING, CONTAINING 0.024 ACRES (1,051 SQUARE FEET), MORE OR LESS, SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAY OF RECORD.

Parcel No. 409567V

A PART OF THE NORTH HALF AND SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 26 NORTH, RANGE 4 WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 9 AS SHOWN ON THE ASSESSORS PLAT FOR TAXATION IN PART OF SECTION 29, SAID POINT ALSO BEING ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF CAMP STREET (S.B.I. ROUTE 8) AND 29.79 FEET NORMALLY DISTANT NORTHEAST OF THE EXISTING CENTERLINE OF CAMP STREET STATION 328+16.11 AS THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; FROM THE POINT OF BEGINNING, THENCE SOUTH 30°-16'-06" EAST (BEARINGS ARE FOR DESCRIPTIVE PURPOSES ONLY), ALONG SAID RIGHT-OF-WAY LINE OF CAMP STREET, A DISTANCE OF 21.55 FEET TO A POINT 29.73 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF CAMP STREET STATION 328+37.66; THENCE SOUTH 66°-41'-57" WEST, A DISTANCE OF 60.45 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF CAMP STREET, SAID POINT BEING 30.25 FEET NORMALLY DISTANT SOUTHWEST OF SAID EXISTING CENTERLINE OF CAMP STREET STATION 328+30.17; THENCE NORTH 30°-16'-06" WEST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 696.88 FEET TO A POINT 24.96 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF CAMP STREET STATION 321+36.70; THENCE IN A NORTHWESTERLY DIRECTION, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, ALONG A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 1196.28 FEET AND AN ARC LENGTH OF 31.60 FEET BEING SUBTENDED BY A CHORD BEARING NORTH 31°-01'-31" WEST, AND A CHORD LENGTH OF 31.60 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF CAMP STREET, SAID POINT BEING 31.41 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF CAMP STREET STATION 321+05.77; (THE FOLLOWING 3 COURSES ARE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE) THENCE SOUTH 42°-58'-09" EAST, A DISTANCE OF 157.39 FEET TO A POINT 31.86 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF CAMP STREET STATION

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322+63.15; THENCE IN A SOUTHEASTERLY DIRECTION, ALONG A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 1303.60 FEET AND AN ARC LENGTH OF 163.00 FEET BEING SUBTENDED BY A CHORD BEARING SOUTH 39°-23'-13" EAST, AND A CHORD LENGTH OF 162.89 FEET TO A POINT 33.30 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF CAMP STREET STATION 324+21.41; THENCE SOUTH 30°-16'-06" EAST, A DISTANCE OF 399.89 FEET TO THE POINT OF BEGINNING, CONTAINING 0.815 ACRES (35,515 SQUARE FEET), MORE OR LESS, SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAY OF RECORD.

Parcel No. 409560V

A PART OF THE NORTH HALF OF SECTION 29, TOWNSHIP-26-NORTH, RANGE-4-WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE FORMER SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID TOLEDO, PEORIA AND WESTERN RAILWAY COMPANY WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF WASHINGTON STREET; THENCE NORTH 18°-12'-34" WEST (BEARINGS ARE FOR DESCRIPTIVE PURPOSES ONLY), ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 106.18 FEET TO A POINT 50.00 FEET NORMALLY DISTANT NORTHEAST OF THE EXISTING CENTERLINE OF WASHINGTON STREET STATION 294+21.19, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED:

FROM THE POINT OF BEGINNING, THENCE CONTINUING NORTH 18°-12'-34" WEST, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 183.08 FEET TO THE INTERSECTION OF SAID NORTHEASTERLY RIGHT-OF-WAY LINE WITH THE SOUTHWESTERLY LINE OF A PERPETUAL EASEMENT FOR HIGHWAY PURPOSES GRANTED TO THE STATE OF ILLINOIS, DEPARTMENT OF PUBLIC WORKS AND BUILDINGS, DIVISION OF HIGHWAYS ON OCTOBER 3, 1925 BY THE TOLEDO, PEORIA AND WESTERN RAILWAY COMPANY AND SAMUEL M. RUSSELL, RECEIVER, SAID POINT BEING 50.00 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF WASHINGTON STREET STATION 292+38.10; THENCE SOUTH 30°-05'-41" EAST, ALONG SAID SOUTHWESTERLY LINE OF A PERPETUAL EASEMENT, A DISTANCE OF 97.44 FEET TO A POINT 70.07 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF WASHINGTON STREET STATION 293+33.45; THENCE SOUTH 37°-03'-22" EAST, ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 117.06 FEET TO A POINT 107.88 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF WASHINGTON STREET STATION 294+44.24; THENCE NORTH 78°-11'-34" WEST, A DISTANCE OF 46.06 FEET TO A POINT 68.00 FEET NORMALLY DISTANT NORTHEAST OF SAID EXISTING CENTERLINE OF WASHINGTON STREET STATION 294+21.19; THENCE SOUTH 71°-49'-14" WEST, A DISTANCE OF 18.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.101 ACRES (4,400 SQUARE FEET) MORE OR LESS, SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAY OF RECORD.

Parcel No. 409561V

A PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 26 NORTH, RANGE 4 WEST OF THE THIRD PRINCIPAL MERIDIAN, TAZEWELL COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE FORMER SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE TOLEDO, PEORIA AND WESTERN RAILWAY COMPANY WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF WASHINGTON STREET (THE FOLLOWING 3 COURSES ARE ALONG SAID FORMER RIGHT-OF-WAY LINE OF THE TOLEDO, PEORIA AND WESTERN RAILWAY COMPANY); THENCE SOUTH 30°-16'-06" EAST (BEARINGS ARE FOR DESCRIPTIVE PURPOSES ONLY), A DISTANCE OF 214.54 FEET; THENCE NORTH 71°-47'-26" EAST, A DISTANCE OF 12.27 FEET; THENCE SOUTH

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30°-16'-06" EAST, A DISTANCE OF 167.90 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF RIVER ROAD (F.A.U. ROUTE 6713), SAID POINT BEING 52.03 FEET NORMALLY DISTANT NORTHWEST OF THE EXISTING CENTERLINE OF RIVER ROAD STATION 115+74.49 AND THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED:

FROM THE POINT OF BEGINNING, THENCE NORTH 27°-32'-28" EAST, A DISTANCE OF 103.98 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF CAMP STREET (S.B.I. ROUTE 8), SAID POINT BEING 99.57 FEET NORMALLY DISTANT NORTHWEST OF SAID EXISTING CENTERLINE OF RIVER ROAD STATION 114+82.01; THENCE SOUTH 30°-16'-06" EAST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 68.91 FEET TO A POINT 30.93 FEET NORMALLY DISTANT NORTHWEST OF SAID EXISTING CENTERLINE OF RIVER ROAD STATION 114+88.00; THENCE SOUTH 66°-41'-57" WEST, A DISTANCE OF 42.61 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF RIVER ROAD, SAID POINT BEING 39.75 FEET NORMALLY DISTANT NORTHWEST OF SAID EXISTING CENTERLINE OF RIVER ROAD STATION 115+29.68; THENCE IN A SOUTHWESTERLY DIRECTION, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, ALONG A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 32.46 FEET AND AN ARC LENGTH OF 1.36 FEET BEING SUBTENDE BY A CHORD BEARING SOUTH 67°-53'-51" WEST, AND A CHORD LENGTH OF 1.36 FEET TO A POINT 40.06 FEET NORMALLY DISTANT NORTHWEST OF SAID EXISTING CENTERLINE OF RIVER ROAD STATION 115+31.00; THENCE IN A NORTHWESTERLY DIRECTION, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, ALONG A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1238.25 FEET AND AN ARC LENGTH OF 45.11 FEET BEING SUBTENDE BY A CHORD BEARING SOUTH 70°-08'-22" WEST, AND A CHORD LENGTH OF 45.11 FEET TO THE POINT OF BEGINNING, CONTAINING 0.071 ACRES (3,098 SQUARE FEET) MORE OR LESS, SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAY OF RECORD.

Section 90. The Secretary of Transportation shall obtain a certified copy of the portion of this Act containing the title, enacting clause, the effective date, the appropriate Section containing the land description of the property listed in Section 30 to be transferred or otherwise affected under this Act within 60 days after its effective date and, upon receipt of payment required by the Section shall record the certified document in the Recorder's Office in the county which the land is located.

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

AMENDMENT NO. 4

AMENDMENT NO. 4. Amend Senate Bill 1737, AS AMENDED, with reference to page and line numbers of House Amendment No. 3, on page 4, line 2, by replacing "and 7-103.121" with "7-103.121, and 7-103.122"; and

on page 15, below line 4, by inserting the following:

"(735 ILCS 5/7-103.122 new)

Sec. 7-103.122. Quick-take: Village of Skokie. Quick-take proceedings under Section 7-103 may be used for a period of 12 months after the effective date of this amendatory Act of the 93rd General Assembly by the Village of Skokie for the acquisition of property for the purpose of open space and the development of a park as follows:

8148 Lincoln Avenue

Index Numbers (PINS): 10-21-409-002-0000 and 10-21-409-003-0000

Lot 2 and the North 1/2 of Lot 3 in the Subdivision of Lot 28 in the Subdivision of the South 105 acres of the Southeast 1/4 of Section 21, Township 41 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

8158 Lincoln Avenue

Index Number (PIN) 10-21-409-001-0000

[July 24, 2004]

Lot 1 in the Subdivision of Lot 28 in the Subdivision of the South 105 acres of the Southeast 1/4 of Section 21, Township 41 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois."

Under the rules, the foregoing **Senate Bill No. 1737**, with House Amendments numbered 1, 3 and 4, was referred to the Secretary's Desk.

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2287

A bill for AN ACT concerning courts.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 2287

Passed the House, as amended, July 24, 2004, by a three-fifths vote.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 2287 by replacing everything after the enacting clause with the following:

"Section 5. The Circuit Courts Act is amended by changing Sections 2f-1, 2f-2, 2f-4, and 2f-5 as follows:

(705 ILCS 35/2f-1)

Sec. 2f-1. 19th and 22nd judicial circuits.

(a) On December 4, 2006, the 19th judicial circuit is divided into the 19th and 22nd judicial circuits as provided in Section 1 of the Circuit Courts Act. This division does not invalidate any action taken by the 19th judicial circuit or any of its judges, officers, employees, or agents before December 4, 2006. This division does not affect any person's rights, obligations, or duties, including applicable civil and criminal penalties, arising out of any action taken by the 19th judicial circuit or any of its judges, officers, employees, or agents before December 4, 2006.

(b) Of the 7 circuit judgeships elected at large in the 19th circuit before the general election in 2006, the Supreme Court shall assign 5 to the 19th circuit and 2 to the 22nd circuit, based on residency of the circuit judges then holding those judgeships. The 5 assigned to the 19th circuit shall continue to be elected at large. The 2 assigned to the 22nd circuit shall continue to be elected at large.

(c) The 6 resident judgeships elected from Lake County before the general election in 2006 shall become resident judgeships in the 19th circuit on December 4, 2006, and the 3 resident judgeships elected from McHenry County before the general election in 2006 shall become resident judgeships in the 22nd circuit on December 4, 2006.

(d) On December 4, 2006, the Supreme Court shall allocate the associate judgeships of the 19th circuit before that date between the 19th and 22nd circuits based on the residency of the associate judges; however, the number of associate judges allocated to the 19th circuit shall be no less than the number of associate judges residing in Lake County on March 22, 2004 population of those circuits.

(e) On December 4, 2006, the Supreme Court shall allocate personnel, books, records, documents, property (real and personal), funds, assets, liabilities, and pending matters concerning the 19th circuit before that date between the 19th and 22nd circuits based on the population and staffing needs of those circuits and the efficient and proper administration of the judicial system. The rights of employees under applicable collective bargaining agreements are not affected by this amendatory Act of the 93rd General Assembly.

(f) The judgeships set forth in this Section include the judgeships authorized under Sections 2g, 2h, and 2j. The judgeships authorized in those Sections are not in addition to those set forth in this Section.

(Source: P.A. 93-541, eff. 8-18-03.)

(705 ILCS 35/2f-2)

Sec. 2f-2. 19th judicial circuit; subcircuits.

(a) The 19th circuit shall be divided into 6 subcircuits. The subcircuits shall be compact,

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contiguous, and substantially equal in population. The General Assembly by law shall create the subcircuits ~~on or before February 1, 2004~~, using population data as determined by the 2000 federal census, and shall determine a numerical order for the 6 subcircuits. That numerical order shall be the basis for the order in which resident judgeships are assigned to the subcircuits. Once a resident judgeship is assigned to a subcircuit, it shall continue to be assigned to that subcircuit for all purposes.

(b) The 19th circuit shall have a total of 6 resident judgeships.

(c) The Supreme Court shall allot (i) all vacancies in resident judgeships of the 19th circuit existing on or occurring on or after the effective date of this amendatory Act of the 93rd General Assembly and not filled at the 2004 general election and (ii) the resident judgeships of the 19th circuit filled at the 2004 general election as those judgeships thereafter become vacant, for election from the various subcircuits until there is one resident judge to be elected from each subcircuit. No resident judge of the 19th circuit serving on the effective date of this amendatory Act of the 93rd General Assembly shall be required to change his or her residency in order to continue serving in office or to seek retention in office as resident judgeships are allotted by the Supreme Court in accordance with this Section.

(d) A resident judge of a subcircuit must reside in the subcircuit and must continue to reside in that subcircuit as long as he or she holds that office.

(e) Vacancies in resident judgeships of the 19th circuit shall be filled in the manner provided in Article VI of the Illinois Constitution.

(Source: P.A. 93-541, eff. 8-18-03.)

(705 ILCS 35/2f-4)

Sec. 2f-4. 12th circuit; subcircuits; additional judges.

(a) The 12th circuit shall be divided into 5 subcircuits. The subcircuits shall be compact, contiguous, and substantially equal in population. The General Assembly by law shall create the subcircuits ~~on or before February 1, 2004~~, using population data as determined by the 2000 federal census, and shall determine a numerical order for the 5 subcircuits. That numerical order shall be the basis for the order in which resident judgeships are assigned to the subcircuits. Once a resident judgeship is assigned to a subcircuit, it shall continue to be assigned to that subcircuit for all purposes.

~~(a-5) Two of the 12th circuit's associate judgeships shall be allotted as 12th circuit resident judgeships under subsection (c) as those associate judgeships are converted to resident judgeships in accordance with Section 2 of the Associate Judges Act.~~

~~(a-10) Of the 12th circuit's 10 existing circuit judgeships (8 at large and 2 resident), 2 shall be allotted as 12th circuit resident judgeships under subsection (c) as the first 2 of any of those at large and resident judgeships become vacant on or after August 18, 2003 the effective date of this amendatory Act of the 93rd General Assembly. As used in this subsection, a vacancy does not include the expiration of a term of an at large or resident judge who seeks retention in that office at the next term.~~

~~(b) The 12th circuit shall have 3 ~~one~~ additional resident judgeships judgeship, as well as its 2 existing resident judgeships, and 8 at large judgeships, and 2 former associate judgeships, for a total of 13 judgeships available to be allotted to the 5 subcircuit resident judgeships. The additional resident judgeship created by Public Act 93-541 ~~this amendatory Act of the 93rd General Assembly~~ shall be filled by election beginning at the general election in 2006 . The 2 additional resident judgeships created by this amendatory Act of 2004 shall be filled by election beginning at the general election in 2008. After the subcircuits are created by law, the Supreme Court ~~may~~ shall fill by appointment the additional resident judgeships judgeship created by Public Act 93-541 and this amendatory Act of 2004 the 93rd General Assembly until the 2006 or 2008 general election, as the case may be.~~

~~(c) The Supreme Court shall allot (i) the additional resident judgeships judgeship of the 12th circuit created by Public Act 93-541 and this amendatory Act of 2004 the 93rd General Assembly, and (ii) the first 2 vacancies in the at large and resident judgeships of the 12th circuit as provided in subsection (a-10), and (iii) 2 associate judgeships of the 12th circuit as they are converted to resident judgeships as provided in subsection (a-5); for election from the various subcircuits until there is one resident judge to be elected from each subcircuit. No at large or resident judge of the 12th circuit serving on August 18, 2003 the effective date of this amendatory Act of the 93rd General Assembly shall be required to change his or her residency in order to continue serving in office or to seek retention in office as at large or resident judgeships are allotted by the Supreme Court in accordance with this Section.~~

~~(d) A resident judge of a subcircuit must reside in the subcircuit and must continue to reside in that subcircuit as long as he or she holds that office.~~

~~(e) Vacancies in resident judgeships of the 12th circuit shall be filled in the manner provided in Article VI of the Illinois Constitution.~~

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(Source: P.A. 93-541, eff. 8-18-03.)

(705 ILCS 35/2f-5)

Sec. 2f-5. 22nd circuit; subcircuits.

(a) The 22nd circuit shall be divided into 3 subcircuits. The subcircuits shall be compact, contiguous, and substantially equal in population. The General Assembly by law shall create the subcircuits ~~on or before February 1, 2004~~, using population data as determined by the 2000 federal census, and shall determine a numerical order for the 3 subcircuits. That numerical order shall be the basis for the order in which resident judgeships are assigned to the subcircuits. Once a resident judgeship is assigned to a subcircuit, it shall continue to be assigned to that subcircuit for all purposes.

(b) The 22nd circuit shall have a total of 3 resident judgeships.

(c) The Supreme Court shall allot (i) all vacancies in resident judgeships of the 22nd circuit existing on or occurring on or after the effective date of this amendatory Act of the 93rd General Assembly and not filled at the 2004 general election and (ii) the resident judgeships of the 22nd circuit filled at the 2004 general election as those judgeships thereafter become vacant, for election from the various subcircuits until there is one resident judge to be elected from each subcircuit. No resident judge of the 22nd circuit serving on the effective date of this amendatory Act of the 93rd General Assembly shall be required to change his or her residency in order to continue serving in office or to seek retention in office as resident judgeships are allotted by the Supreme Court in accordance with this Section.

(d) A resident judge of a subcircuit must reside in the subcircuit and must continue to reside in that subcircuit as long as he or she holds that office.

(e) Vacancies in resident judgeships of the 22nd circuit shall be filled in the manner provided in Article VI of the Illinois Constitution.

(Source: P.A. 93-541, eff. 8-18-03.)

Section 10. The Associate Judges Act is amended by changing Section 2 as follows:

(705 ILCS 45/2) (from Ch. 37, par. 160.2)

Sec. 2. (a) The maximum number of associate judges authorized for each circuit is the greater of the applicable minimum number specified in this Section or one for each 35,000 or fraction thereof in population as determined by the last preceding Federal census, except for circuits with a population of more than 3,000,000 where the maximum number of associate judges is one for each 29,000 or fraction thereof in population as determined by the last preceding federal census, reduced in circuits of less than 200,000 inhabitants by the number of resident circuit judges elected in the circuit in excess of one per county. In addition, in circuits of 1,000,000 or more inhabitants, there shall be one additional associate judge authorized for each municipal district of the circuit court. The number of associate judges to be appointed in each circuit, not to exceed the maximum authorized, shall be determined from time to time by the Circuit Court. The minimum number of associate judges authorized for any circuit consisting of a single county shall be 14, except that the minimum in the 22nd circuit shall be 8 ~~and except that the minimum in the 19th circuit on and after December 4, 2006 shall be 20~~. The minimum number of associate judges authorized for any circuit consisting of 2 counties with a combined population of at least 275,000 but less than 300,000 shall be 10. The minimum number of associate judges authorized for any circuit with a population of at least 303,000 but not more than 309,000 shall be 10. The minimum number of associate judges authorized for any circuit with a population of at least 329,000, but not more than 335,000 shall be 11. The minimum number of associate judges authorized for any circuit with a population of at least 173,000 shall be 5. As used in this Section, the term "resident circuit judge" has the meaning given it in the Judicial Vacancies Act.

(b) The maximum number of associate judges authorized under subsection (a) for a circuit with a population of more than 3,000,000 shall be reduced as provided in this subsection (b). For each vacancy that exists on or occurs on or after the effective date of this amendatory Act of 1990, that maximum number shall be reduced by one until the total number of associate judges authorized under subsection (a) is reduced by 60. A vacancy exists or occurs when an associate judge dies, resigns, retires, is removed, or is not reappointed upon expiration of his or her term; a vacancy does not exist or occur at the expiration of a term if the associate judge is reappointed.

~~(c) The maximum number of associate judges authorized under subsection (a) for the 12th judicial circuit shall be reduced as provided in this subsection (c). For each vacancy that exists on or occurs after the effective date of this amendatory Act of the 93rd General Assembly, that maximum number shall be reduced by one until the total number of associate judges authorized under subsection (a) is reduced by 2. A vacancy exists or occurs when (i) a new associate judgeship has been authorized under subsection (a) for the 12th judicial circuit, but has not been filled by appointment or (ii) an associate judge dies, resigns, retires, is removed, or is not reappointed upon expiration of his or her~~

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~~term. A vacancy does not exist or occur at the expiration of a term if the associate judge is reappointed.~~

(Source: P.A. 92-17, eff. 6-28-01; 93-541, eff. 8-18-03.)

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

Under the rules, the foregoing **Senate Bill No. 2287**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 629

A bill for AN ACT in relation to elections.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 629

Senate Amendment No. 2 to HOUSE BILL NO. 629

Concurred in by the House, July 24, 2004, by a three-fifths vote.

MARK MAHONEY, Clerk of the House

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 714

A bill for AN ACT in relation to vehicles.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 714

Senate Amendment No. 3 to HOUSE BILL NO. 714

Concurred in by the House, July 24, 2004, by a three-fifths vote.

MARK MAHONEY, Clerk of the House

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 759

A bill for AN ACT relating to schools.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 759

Senate Amendment No. 2 to HOUSE BILL NO. 759

Concurred in by the House, July 24, 2004, by a three-fifths vote.

MARK MAHONEY, Clerk of the House

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 766

A bill for AN ACT relating to schools.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 766

Concurred in by the House, July 24, 2004, by a three-fifths vote.

MARK MAHONEY, Clerk of the House

[July 24, 2004]

A message from the House by
Mr. Mahoney, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1070

A bill for AN ACT in relation to educational labor relations.
Passed the House, July 24, 2004, by a three-fifths vote.

MARK MAHONEY, Clerk of the House

A message from the House by
Mr. Mahoney, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 4200

A bill for AN ACT concerning professional regulation.
Which amendments are as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 4200
Senate Amendment No. 3 to HOUSE BILL NO. 4200
Concurred in by the House, July 24, 2004, by a three-fifths vote.

MARK MAHONEY, Clerk of the House

JOINT ACTION MOTIONS FILED

The following Joint Action Motions to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Rules:

Motion to Concur in House Amendment 1 to Senate Bill 73
Motion to Concur in House Amendment 1 to Senate Bill 1046
Motion to Concur in House Amendment 1 to Senate Bill 2287

INTRODUCTION OF BILLS

SENATE BILL NO. 3389. Introduced by Senator Roskam, a bill for AN ACT concerning firearms.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

PRESENTATION OF RESOLUTION

SENATE RESOLUTION 651

Offered by Senator D. Sullivan and all Senators:
Mourns the death of Walter Wietecha of Park Ridge.

By unanimous consent, the foregoing resolution was referred to the Resolutions Consent Calendar.

REPORT FROM RULES COMMITTEE

Senator Viverito, Chairperson of the Committee on Rules, during its July 24, 2004 meeting, reported the following Joint Action Motions have been assigned to the indicated Standing Committees of the Senate:

State Government: **Motion to Concur in House Amendment 1 to Senate Bill 73 and Motion to Concur in House Amendment 1 to Senate Bill 2287**

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COMMITTEE MEETING ANNOUNCEMENT

Senator Hunter, Member of the Committee on State Government, announced that the State Government Committee will meet today in Room A-1 Stratton Building, at 2:30 o'clock p.m.

At the hour of 1:22 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 6:30 o'clock p.m., the Senate resumed consideration of business.
Honorable Emil Jones, Jr., President of the Senate, presiding.

MESSAGE FROM THE GOVERNOR

Message for the Governor by Joseph B. Handley
Deputy Chief of Staff for Legislative Affairs

July 20, 2004

Mr. President,

The Governor directs me to lay before the Senate the following Message:

**STATE OF ILLINOIS
EXECUTIVE DEPARTMENT**

To the Honorable
Members of the Senate
Ninety-Third General Assembly

I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments of your Honorable body.

FINANCIAL AND PROFESSIONAL REGULATION, DEPARTMENT OF

To be Director of the Illinois Department of Financial and Professional Regulation for a term commencing July 1, 2004 and ending January 17, 2005:

Michele V. Latz of River Forest
Salaried

To be Director of the Illinois Department of Financial and Professional Regulation for a term commencing July 1, 2004 and ending January 17, 2005:

Dorance Lorenzo Padron of Glenview
Salaried

PUBLIC ADMINISTRATOR AND PUBLIC GUARDIAN OF DOUGLAS COUNTY

To be Public Administrator and Public Guardian of Douglas County for a term commencing July 19, 2004 and ending December 3, 2005:

Kristi Heath of Tuscola
Non-Salaried

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TRI-CITY REGIONAL PORT DISTRICT BOARD

To be a Member of the Tri-City Regional Port District Board for a term commencing July 21, 2004 and ending May 31, 2007:

Steven W. Signall of Granite City
Non-Salaried

Under the rules, the foregoing Message was referred to the Committee on Executive Appointments.

MESSAGES FROM THE HOUSE

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2205

A bill for AN ACT in relation to budget implementation.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 2205

House Amendment No. 2 to SENATE BILL NO. 2205

House Amendment No. 3 to SENATE BILL NO. 2205

Passed the House, as amended, July 24, 2004, by a three-fifths vote.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 2205 by replacing everything after the enacting clause with the following:

"Section 5. The Use Tax Act is amended by changing Sections 2, 3, and 3-25 as follows:
(35 ILCS 105/2) (from Ch. 120, par. 439.2)

Sec. 2. "Use" means the exercise by any person of any right or power over tangible personal property incident to the ownership of that property, except that it does not include the sale of such property in any form as tangible personal property in the regular course of business to the extent that such property is not first subjected to a use for which it was purchased, and does not include the use of such property by its owner for demonstration purposes: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or by-product of manufacturing. "Use" does not mean the demonstration use or interim use of tangible personal property by a retailer before he sells that tangible personal property. For watercraft or aircraft, if the period of demonstration use or interim use by the retailer exceeds 18 months, the retailer shall pay on the retailers' original cost price the tax imposed by this Act, and no credit for that tax is permitted if the watercraft or aircraft is subsequently sold by the retailer. "Use" does not mean the physical incorporation of tangible personal property, to the extent not first subjected to a use for which it was purchased, as an ingredient or constituent, into other tangible personal property (a) which is sold in the regular course of business or (b) which the person incorporating such ingredient or constituent therein has undertaken at the time of such purchase to cause to be transported in interstate commerce to destinations outside the State of Illinois: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or by-product of manufacturing.

"Watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

"Purchase at retail" means the acquisition of the ownership of or title to tangible personal property through a sale at retail.

"Purchaser" means anyone who, through a sale at retail, acquires the ownership of tangible personal property for a valuable consideration.

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"Sale at retail" means any transfer of the ownership of or title to tangible personal property to a purchaser, for the purpose of use, and not for the purpose of resale in any form as tangible personal property to the extent not first subjected to a use for which it was purchased, for a valuable consideration: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or by-product of manufacturing. For this purpose, slag produced as an incident to manufacturing pig iron or steel and sold is considered to be an intentionally produced by-product of manufacturing. "Sale at retail" includes any such transfer made for resale unless made in compliance with Section 2c of the Retailers' Occupation Tax Act, as incorporated by reference into Section 12 of this Act. Transactions whereby the possession of the property is transferred but the seller retains the title as security for payment of the selling price are sales.

"Sale at retail" shall also be construed to include any Illinois florist's sales transaction in which the purchase order is received in Illinois by a florist and the sale is for use or consumption, but the Illinois florist has a florist in another state deliver the property to the purchaser or the purchaser's donee in such other state.

Nonreusable tangible personal property that is used by persons engaged in the business of operating a restaurant, cafeteria, or drive-in is a sale for resale when it is transferred to customers in the ordinary course of business as part of the sale of food or beverages and is used to deliver, package, or consume food or beverages, regardless of where consumption of the food or beverages occurs. Examples of those items include, but are not limited to nonreusable, paper and plastic cups, plates, baskets, boxes, sleeves, buckets or other containers, utensils, straws, placemats, napkins, doggie bags, and wrapping or packaging materials that are transferred to customers as part of the sale of food or beverages in the ordinary course of business.

The purchase, employment and transfer of such tangible personal property as newsprint and ink for the primary purpose of conveying news (with or without other information) is not a purchase, use or sale of tangible personal property.

Beginning July 1, 2004, "sale at retail" shall be construed to include the licensing of computer software.

"Selling price" means the consideration for a sale valued in money whether received in money or otherwise, including cash, credits, property other than as hereinafter provided, and services, but not including the value of or credit given for traded-in tangible personal property where the item that is traded-in is of like kind and character as that which is being sold, and shall be determined without any deduction on account of the cost of the property sold, the cost of materials used, labor or service cost or any other expense whatsoever, but does not include interest or finance charges which appear as separate items on the bill of sale or sales contract nor charges that are added to prices by sellers on account of the seller's tax liability under the "Retailers' Occupation Tax Act", or on account of the seller's duty to collect, from the purchaser, the tax that is imposed by this Act, or on account of the seller's tax liability under Section 8-11-1 of the Illinois Municipal Code, as heretofore and hereafter amended, or on account of the seller's tax liability under the "County Retailers' Occupation Tax Act". Effective December 1, 1985, "selling price" shall include charges that are added to prices by sellers on account of the seller's tax liability under the Cigarette Tax Act, on account of the seller's duty to collect, from the purchaser, the tax imposed under the Cigarette Use Tax Act, and on account of the seller's duty to collect, from the purchaser, any cigarette tax imposed by a home rule unit.

The phrase "like kind and character" shall be liberally construed (including but not limited to any form of motor vehicle for any form of motor vehicle, or any kind of farm or agricultural implement for any other kind of farm or agricultural implement), while not including a kind of item which, if sold at retail by that retailer, would be exempt from retailers' occupation tax and use tax as an isolated or occasional sale.

"Department" means the Department of Revenue.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint adventure, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian or other representative appointed by order of any court.

"Retailer" means and includes every person engaged in the business of making sales at retail as defined in this Section.

A person who holds himself or herself out as being engaged (or who habitually engages) in selling tangible personal property at retail is a retailer hereunder with respect to such sales (and not primarily in a service occupation) notwithstanding the fact that such person designs and produces such tangible personal property on special order for the purchaser and in such a way as to render the property of value only to such purchaser, if such tangible personal property so produced on special order serves

substantially the same function as stock or standard items of tangible personal property that are sold at retail.

A person whose activities are organized and conducted primarily as a not-for-profit service enterprise, and who engages in selling tangible personal property at retail (whether to the public or merely to members and their guests) is a retailer with respect to such transactions, excepting only a person organized and operated exclusively for charitable, religious or educational purposes either (1), to the extent of sales by such person to its members, students, patients or inmates of tangible personal property to be used primarily for the purposes of such person, or (2), to the extent of sales by such person of tangible personal property which is not sold or offered for sale by persons organized for profit. The selling of school books and school supplies by schools at retail to students is not "primarily for the purposes of" the school which does such selling. This paragraph does not apply to nor subject to taxation occasional dinners, social or similar activities of a person organized and operated exclusively for charitable, religious or educational purposes, whether or not such activities are open to the public.

A person who is the recipient of a grant or contract under Title VII of the Older Americans Act of 1965 (P.L. 92-258) and serves meals to participants in the federal Nutrition Program for the Elderly in return for contributions established in amount by the individual participant pursuant to a schedule of suggested fees as provided for in the federal Act is not a retailer under this Act with respect to such transactions.

Persons who engage in the business of transferring tangible personal property upon the redemption of trading stamps are retailers hereunder when engaged in such business.

The isolated or occasional sale of tangible personal property at retail by a person who does not hold himself out as being engaged (or who does not habitually engage) in selling such tangible personal property at retail or a sale through a bulk vending machine does not make such person a retailer hereunder. However, any person who is engaged in a business which is not subject to the tax imposed by the "Retailers' Occupation Tax Act" because of involving the sale of or a contract to sell real estate or a construction contract to improve real estate, but who, in the course of conducting such business, transfers tangible personal property to users or consumers in the finished form in which it was purchased, and which does not become real estate, under any provision of a construction contract or real estate sale or real estate sales agreement entered into with some other person arising out of or because of such nontaxable business, is a retailer to the extent of the value of the tangible personal property so transferred. If, in such transaction, a separate charge is made for the tangible personal property so transferred, the value of such property, for the purposes of this Act, is the amount so separately charged, but not less than the cost of such property to the transferor; if no separate charge is made, the value of such property, for the purposes of this Act, is the cost to the transferor of such tangible personal property.

"Retailer maintaining a place of business in this State", or any like term, means and includes any of the following retailers:

1. A retailer having or maintaining within this State, directly or by a subsidiary, an office, distribution house, sales house, warehouse or other place of business, or any agent or other representative operating within this State under the authority of the retailer or its subsidiary, irrespective of whether such place of business or agent or other representative is located here permanently or temporarily, or whether such retailer or subsidiary is licensed to do business in this State. However, the ownership of property that is located at the premises of a printer with which the retailer has contracted for printing and that consists of the final printed product, property that becomes a part of the final printed product, or copy from which the printed product is produced shall not result in the retailer being deemed to have or maintain an office, distribution house, sales house, warehouse, or other place of business within this State.

2. A retailer soliciting orders for tangible personal property by means of a telecommunication or television shopping system (which utilizes toll free numbers) which is intended by the retailer to be broadcast by cable television or other means of broadcasting, to consumers located in this State.

3. A retailer, pursuant to a contract with a broadcaster or publisher located in this State, soliciting orders for tangible personal property by means of advertising which is disseminated primarily to consumers located in this State and only secondarily to bordering jurisdictions.

4. A retailer soliciting orders for tangible personal property by mail if the solicitations are substantial and recurring and if the retailer benefits from any banking, financing, debt collection, telecommunication, or marketing activities occurring in this State or benefits from the location in this State of authorized installation, servicing, or repair facilities.

5. A retailer that is owned or controlled by the same interests that own or control any retailer engaging in business in the same or similar line of business in this State.

6. A retailer having a franchisee or licensee operating under its trade name if the franchisee or licensee is required to collect the tax under this Section.

7. A retailer, pursuant to a contract with a cable television operator located in this State, soliciting orders for tangible personal property by means of advertising which is transmitted or distributed over a cable television system in this State.

8. A retailer engaging in activities in Illinois, which activities in the state in which the retail business engaging in such activities is located would constitute maintaining a place of business in that state.

"Bulk vending machine" means a vending machine, containing unsorted confections, nuts, toys, or other items designed primarily to be used or played with by children which, when a coin or coins of a denomination not larger than \$0.50 are inserted, are dispensed in equal portions, at random and without selection by the customer.

(Source: P.A. 92-213, eff. 1-1-02.)

(35 ILCS 105/3) (from Ch. 120, par. 439.3)

Sec. 3. Tax imposed. A tax is imposed upon the privilege of using in this State tangible personal property purchased at retail from a retailer, including computer software, and including photographs, negatives, and positives that are the product of photoprocessing, but not including products of photoprocessing produced for use in motion pictures for commercial exhibition. Beginning January 1, 2001, prepaid telephone calling arrangements shall be considered tangible personal property subject to the tax imposed under this Act regardless of the form in which those arrangements may be embodied, transmitted, or fixed by any method now known or hereafter developed. Beginning July 1, 2004, computer software subject to tax under this Act includes licenses of computer software.

(Source: P.A. 91-51, eff. 6-30-99; 91-870, eff. 6-22-00.)

(35 ILCS 105/3-25) (from Ch. 120, par. 439.3-25)

Sec. 3-25. Computer software; prewritten computer software.

(a) For the purposes of this Act, "computer software" means a set of statements, data, or instructions to be used directly or indirectly in a computer in order to bring about a certain result in any form in which those statements, data, or instructions may be embodied, transmitted, or fixed, by any method now known or hereafter developed, regardless of whether the statements, data, or instructions are capable of being perceived by or communicated to humans, and includes prewritten or canned software that is held for repeated sale or lease, and all associated documentation and materials, if any, whether contained on magnetic tapes, discs, cards, or other devices or media, but does not include (i) until July 1, 2004, software that is adapted to specific individualized requirements of a purchaser, custom-made and modified software designed for a particular or limited use by a purchaser, or (ii) software used to operate exempt machinery and equipment used in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease.

(b) Beginning on July 1, 2004, "prewritten computer software" means computer software, including upgrades, that is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of 2 or more "prewritten computer software" programs or prewritten portions thereof does not cause the combination to be other than "prewritten computer software". "Prewritten computer software" includes software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the specific purchaser. When a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of that person's modifications or enhancements. "Prewritten computer software" or a prewritten portion thereof that is modified or enhanced to any degree, when the modification or enhancement according to Department rules is designed and developed to the specifications of a specific purchaser, remains "prewritten computer software", except that when there is a reasonable separately stated charge or an invoice or other statement of the price given to the purchaser for the modification or enhancement, the modification or enhancement does not constitute "prewritten computer software".

For the purposes of this Act, computer software shall be considered to be tangible personal property.

(Source: P.A. 91-51, eff. 6-30-99.)

Section 10. The Service Use Tax Act is amended by changing Sections 2 and 3-25 as follows:

(35 ILCS 110/2) (from Ch. 120, par. 439.32)

Sec. 2. "Use" means the exercise by any person of any right or power over tangible personal

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property incident to the ownership of that property, but does not include the sale or use for demonstration by him of that property in any form as tangible personal property in the regular course of business. "Use" does not mean the interim use of tangible personal property nor the physical incorporation of tangible personal property, as an ingredient or constituent, into other tangible personal property, (a) which is sold in the regular course of business or (b) which the person incorporating such ingredient or constituent therein has undertaken at the time of such purchase to cause to be transported in interstate commerce to destinations outside the State of Illinois. Beginning July 1, 2004, the use of licenses of computer software is considered a use of tangible personal property under this Act.

"Purchased from a serviceman" means the acquisition of the ownership of, or title to, tangible personal property through a sale of service.

"Purchaser" means any person who, through a sale of service, acquires the ownership of, or title to, any tangible personal property.

"Cost price" means the consideration paid by the serviceman for a purchase valued in money, whether paid in money or otherwise, including cash, credits and services, and shall be determined without any deduction on account of the supplier's cost of the property sold or on account of any other expense incurred by the supplier. When a serviceman contracts out part or all of the services required in his sale of service, it shall be presumed that the cost price to the serviceman of the property transferred to him or her by his or her subcontractor is equal to 50% of the subcontractor's charges to the serviceman in the absence of proof of the consideration paid by the subcontractor for the purchase of such property.

"Selling price" means the consideration for a sale valued in money whether received in money or otherwise, including cash, credits and service, and shall be determined without any deduction on account of the serviceman's cost of the property sold, the cost of materials used, labor or service cost or any other expense whatsoever, but does not include interest or finance charges which appear as separate items on the bill of sale or sales contract nor charges that are added to prices by sellers on account of the seller's duty to collect, from the purchaser, the tax that is imposed by this Act.

"Department" means the Department of Revenue.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint venture, public or private corporation, limited liability company, and any receiver, executor, trustee, guardian or other representative appointed by order of any court.

"Sale of service" means any transaction except:

(1) a retail sale of tangible personal property taxable under the Retailers' Occupation Tax Act or under the Use Tax Act.

(2) a sale of tangible personal property for the purpose of resale made in compliance with Section 2c of the Retailers' Occupation Tax Act.

(3) except as hereinafter provided, a sale or transfer of tangible personal property as an incident to the rendering of service for or by any governmental body, or for or by any corporation, society, association, foundation or institution organized and operated exclusively for charitable, religious or educational purposes or any not-for-profit corporation, society, association, foundation, institution or organization which has no compensated officers or employees and which is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes.

(4) a sale or transfer of tangible personal property as an incident to the rendering of service for interstate carriers for hire for use as rolling stock moving in interstate commerce or by lessors under a lease of one year or longer, executed or in effect at the time of purchase of personal property, to interstate carriers for hire for use as rolling stock moving in interstate commerce so long as so used by such interstate carriers for hire, and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(4a) a sale or transfer of tangible personal property as an incident to the rendering of service for owners, lessors, or shippers of tangible personal property which is utilized by interstate carriers for hire for use as rolling stock moving in interstate commerce so long as so used by interstate carriers for hire, and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(4a-5) on and after July 1, 2003, a sale or transfer of a motor vehicle of the second division with a gross vehicle weight in excess of 8,000 pounds as an incident to the rendering of

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service if that motor vehicle is subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. This exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act.

(5) a sale or transfer of machinery and equipment used primarily in the process of the manufacturing or assembling, either in an existing, an expanded or a new manufacturing facility, of tangible personal property for wholesale or retail sale or lease, whether such sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether such sale or lease is made apart from or as an incident to the seller's engaging in a service occupation and the applicable tax is a Service Use Tax or Service Occupation Tax, rather than Use Tax or Retailers' Occupation Tax.

(5a) the repairing, reconditioning or remodeling, for a common carrier by rail, of tangible personal property which belongs to such carrier for hire, and as to which such carrier receives the physical possession of the repaired, reconditioned or remodeled item of tangible personal property in Illinois, and which such carrier transports, or shares with another common carrier in the transportation of such property, out of Illinois on a standard uniform bill of lading showing the person who repaired, reconditioned or remodeled the property to a destination outside Illinois, for use outside Illinois.

(5b) a sale or transfer of tangible personal property which is produced by the seller thereof on special order in such a way as to have made the applicable tax the Service Occupation Tax or the Service Use Tax, rather than the Retailers' Occupation Tax or the Use Tax, for an interstate carrier by rail which receives the physical possession of such property in Illinois, and which transports such property, or shares with another common carrier in the transportation of such property, out of Illinois on a standard uniform bill of lading showing the seller of the property as the shipper or consignee of such property to a destination outside Illinois, for use outside Illinois.

(6) until July 1, 2003, a sale or transfer of distillation machinery and equipment, sold as a unit or kit and assembled or installed by the retailer, which machinery and equipment is certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of such user and not subject to sale or resale.

(7) at the election of any serviceman not required to be otherwise registered as a retailer under Section 2a of the Retailers' Occupation Tax Act, made for each fiscal year sales of service in which the aggregate annual cost price of tangible personal property transferred as an incident to the sales of service is less than 35%, or 75% in the case of servicemen transferring prescription drugs or servicemen engaged in graphic arts production, of the aggregate annual total gross receipts from all sales of service. The purchase of such tangible personal property by the serviceman shall be subject to tax under the Retailers' Occupation Tax Act and the Use Tax Act. However, if a primary serviceman who has made the election described in this paragraph subcontracts service work to a secondary serviceman who has also made the election described in this paragraph, the primary serviceman does not incur a Use Tax liability if the secondary serviceman (i) has paid or will pay Use Tax on his or her cost price of any tangible personal property transferred to the primary serviceman and (ii) certifies that fact in writing to the primary serviceman.

Tangible personal property transferred incident to the completion of a maintenance agreement is exempt from the tax imposed pursuant to this Act.

Beginning July 1, 2004, prewritten computer software that is modified or enhanced, when that enhancement or modification according to Department rules is designed and developed to the specifications of a specific purchaser, is exempt from the tax imposed under this Act and the transfer of that modified or enhanced computer software is subject to tax under the Retailers' Occupation Tax Act and the Use Tax Act.

Exemption (5) also includes machinery and equipment used in the general maintenance or repair of such exempt machinery and equipment or for in-house manufacture of exempt machinery and equipment. For the purposes of exemption (5), each of these terms shall have the following meanings: (1) "manufacturing process" shall mean the production of any article of tangible personal property, whether such article is a finished product or an article for use in the process of manufacturing or assembling a different article of tangible personal property, by procedures commonly regarded as manufacturing, processing, fabricating, or refining which changes some existing material or materials into a material with a different form, use or name. In relation to a recognized integrated business composed of a series of operations which collectively constitute manufacturing, or individually

constitute manufacturing operations, the manufacturing process shall be deemed to commence with the first operation or stage of production in the series, and shall not be deemed to end until the completion of the final product in the last operation or stage of production in the series; and further, for purposes of exemption (5), photoprocessing is deemed to be a manufacturing process of tangible personal property for wholesale or retail sale; (2) "assembling process" shall mean the production of any article of tangible personal property, whether such article is a finished product or an article for use in the process of manufacturing or assembling a different article of tangible personal property, by the combination of existing materials in a manner commonly regarded as assembling which results in a material of a different form, use or name; (3) "machinery" shall mean major mechanical machines or major components of such machines contributing to a manufacturing or assembling process; and (4) "equipment" shall include any independent device or tool separate from any machinery but essential to an integrated manufacturing or assembly process; including computers used primarily in a manufacturer's computer assisted design, computer assisted manufacturing (CAD/CAM) system; or any subunit or assembly comprising a component of any machinery or auxiliary, adjunct or attachment parts of machinery, such as tools, dies, jigs, fixtures, patterns and molds; or any parts which require periodic replacement in the course of normal operation; but shall not include hand tools. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a product being manufactured or assembled for wholesale or retail sale or lease. The purchaser of such machinery and equipment who has an active resale registration number shall furnish such number to the seller at the time of purchase. The user of such machinery and equipment and tools without an active resale registration number shall prepare a certificate of exemption for each transaction stating facts establishing the exemption for that transaction, which certificate shall be available to the Department for inspection or audit. The Department shall prescribe the form of the certificate.

Any informal rulings, opinions or letters issued by the Department in response to an inquiry or request for any opinion from any person regarding the coverage and applicability of exemption (5) to specific devices shall be published, maintained as a public record, and made available for public inspection and copying. If the informal ruling, opinion or letter contains trade secrets or other confidential information, where possible the Department shall delete such information prior to publication. Whenever such informal rulings, opinions, or letters contain any policy of general applicability, the Department shall formulate and adopt such policy as a rule in accordance with the provisions of the Illinois Administrative Procedure Act.

On and after July 1, 1987, no entity otherwise eligible under exemption (3) of this Section shall make tax free purchases unless it has an active exemption identification number issued by the Department.

The purchase, employment and transfer of such tangible personal property as newsprint and ink for the primary purpose of conveying news (with or without other information) is not a purchase, use or sale of service or of tangible personal property within the meaning of this Act.

"Serviceman" means any person who is engaged in the occupation of making sales of service.

"Sale at retail" means "sale at retail" as defined in the Retailers' Occupation Tax Act.

"Supplier" means any person who makes sales of tangible personal property to servicemen for the purpose of resale as an incident to a sale of service.

"Serviceman maintaining a place of business in this State", or any like term, means and includes any serviceman:

1. having or maintaining within this State, directly or by a subsidiary, an office, distribution house, sales house, warehouse or other place of business, or any agent or other representative operating within this State under the authority of the serviceman or its subsidiary, irrespective of whether such place of business or agent or other representative is located here permanently or temporarily, or whether such serviceman or subsidiary is licensed to do business in this State;
2. soliciting orders for tangible personal property by means of a telecommunication or television shopping system (which utilizes toll free numbers) which is intended by the retailer to be broadcast by cable television or other means of broadcasting, to consumers located in this State;
3. pursuant to a contract with a broadcaster or publisher located in this State, soliciting orders for tangible personal property by means of advertising which is disseminated primarily to consumers located in this State and only secondarily to bordering jurisdictions;
4. soliciting orders for tangible personal property by mail if the solicitations are substantial and recurring and if the retailer benefits from any banking, financing, debt collection, telecommunication, or marketing activities occurring in this State or benefits from the location in

this State of authorized installation, servicing, or repair facilities;

5. being owned or controlled by the same interests which own or control any retailer engaging in business in the same or similar line of business in this State;

6. having a franchisee or licensee operating under its trade name if the franchisee or licensee is required to collect the tax under this Section;

7. pursuant to a contract with a cable television operator located in this State, soliciting orders for tangible personal property by means of advertising which is transmitted or distributed over a cable television system in this State; or

8. engaging in activities in Illinois, which activities in the state in which the supply business engaging in such activities is located would constitute maintaining a place of business in that state.

(Source: P.A. 92-484, eff. 8-23-01; 93-23, eff. 6-20-03; 93-24, eff. 6-20-03; revised 8-21-03.)
(35 ILCS 110/3-25) (from Ch. 120, par. 439.33-25)

Sec. 3-25. Computer software.

(a) On and before June 30, 2004, for ~~For~~ the purposes of this Act, "computer software" means a set of statements, data, or instructions to be used directly or indirectly in a computer in order to bring about a certain result in any form in which those statements, data, or instructions may be embodied, transmitted, or fixed, by any method now known or hereafter developed, regardless of whether the statements, data, or instructions are capable of being perceived by or communicated to humans, and includes prewritten or canned software that is held for repeated sale or lease, and all associated documentation and materials, if any, whether contained on magnetic tapes, discs, cards, or other devices or media, but does not include software that is adapted to specific individualized requirements of a purchaser, custom-made and modified software designed for a particular or limited use by a purchaser, or software used to operate exempt machinery and equipment used in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease.

(b) On and after July 1, 2004, for the purposes of this Act, "computer software" has the same meaning as that term is defined in Section 3-25 of the Use Tax Act.

(c) For the purposes of this Act, computer software shall be considered to be tangible personal property.

(Source: P.A. 91-51, eff. 6-30-99.)

Section 15. The Service Occupation Tax Act is amended by changing Sections 2 and 3-25 as follows:

(35 ILCS 115/2) (from Ch. 120, par. 439.102)

Sec. 2. "Transfer" means any transfer of the title to property or of the ownership of property whether or not the transferor retains title as security for the payment of amounts due him from the transferee. Beginning July 1, 2004, the transfer of licenses of computer software is considered the transfer of tangible personal property under this Act.

"Cost Price" means the consideration paid by the serviceman for a purchase valued in money, whether paid in money or otherwise, including cash, credits and services, and shall be determined without any deduction on account of the supplier's cost of the property sold or on account of any other expense incurred by the supplier. When a serviceman contracts out part or all of the services required in his sale of service, it shall be presumed that the cost price to the serviceman of the property transferred to him by his or her subcontractor is equal to 50% of the subcontractor's charges to the serviceman in the absence of proof of the consideration paid by the subcontractor for the purchase of such property.

"Department" means the Department of Revenue.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint venture, public or private corporation, limited liability company, and any receiver, executor, trustee, guardian or other representative appointed by order of any court.

"Sale of Service" means any transaction except:

(a) A retail sale of tangible personal property taxable under the Retailers' Occupation Tax Act or under the Use Tax Act.

(b) A sale of tangible personal property for the purpose of resale made in compliance with Section 2c of the Retailers' Occupation Tax Act.

(c) Except as hereinafter provided, a sale or transfer of tangible personal property as an incident to the rendering of service for or by any governmental body or for or by any corporation, society, association, foundation or institution organized and operated exclusively for charitable, religious or educational purposes or any not-for-profit corporation, society, association, foundation, institution or

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organization which has no compensated officers or employees and which is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes.

(d) A sale or transfer of tangible personal property as an incident to the rendering of service for interstate carriers for hire for use as rolling stock moving in interstate commerce or lessors under leases of one year or longer, executed or in effect at the time of purchase, to interstate carriers for hire for use as rolling stock moving in interstate commerce, and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(d-1) A sale or transfer of tangible personal property as an incident to the rendering of service for owners, lessors or shippers of tangible personal property which is utilized by interstate carriers for hire for use as rolling stock moving in interstate commerce, and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(d-1.1) On and after July 1, 2003, a sale or transfer of a motor vehicle of the second division with a gross vehicle weight in excess of 8,000 pounds as an incident to the rendering of service if that motor vehicle is subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. This exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act.

(d-2) The repairing, reconditioning or remodeling, for a common carrier by rail, of tangible personal property which belongs to such carrier for hire, and as to which such carrier receives the physical possession of the repaired, reconditioned or remodeled item of tangible personal property in Illinois, and which such carrier transports, or shares with another common carrier in the transportation of such property, out of Illinois on a standard uniform bill of lading showing the person who repaired, reconditioned or remodeled the property as the shipper or consignor of such property to a destination outside Illinois, for use outside Illinois.

(d-3) A sale or transfer of tangible personal property which is produced by the seller thereof on special order in such a way as to have made the applicable tax the Service Occupation Tax or the Service Use Tax, rather than the Retailers' Occupation Tax or the Use Tax, for an interstate carrier by rail which receives the physical possession of such property in Illinois, and which transports such property, or shares with another common carrier in the transportation of such property, out of Illinois on a standard uniform bill of lading showing the seller of the property as the shipper or consignor of such property to a destination outside Illinois, for use outside Illinois.

(d-4) Until January 1, 1997, a sale, by a registered serviceman paying tax under this Act to the Department, of special order printed materials delivered outside Illinois and which are not returned to this State, if delivery is made by the seller or agent of the seller, including an agent who causes the product to be delivered outside Illinois by a common carrier or the U.S. postal service.

(e) A sale or transfer of machinery and equipment used primarily in the process of the manufacturing or assembling, either in an existing, an expanded or a new manufacturing facility, of tangible personal property for wholesale or retail sale or lease, whether such sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether such sale or lease is made apart from or as an incident to the seller's engaging in a service occupation and the applicable tax is a Service Occupation Tax or Service Use Tax, rather than Retailers' Occupation Tax or Use Tax.

(f) Until July 1, 2003, the sale or transfer of distillation machinery and equipment, sold as a unit or kit and assembled or installed by the retailer, which machinery and equipment is certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of such user and not subject to sale or resale.

(g) At the election of any serviceman not required to be otherwise registered as a retailer under Section 2a of the Retailers' Occupation Tax Act, made for each fiscal year sales of service in which the aggregate annual cost price of tangible personal property transferred as an incident to the sales of service is less than 35% (75% in the case of servicemen transferring prescription drugs or servicemen engaged in graphic arts production) of the aggregate annual total gross receipts from all sales of service. The purchase of such tangible personal property by the serviceman shall be subject to tax under the Retailers' Occupation Tax Act and the Use Tax Act. However, if a primary serviceman who has made the election described in this paragraph subcontracts service work to a secondary serviceman who has also made the election described in this paragraph, the primary serviceman does not incur a

Use Tax liability if the secondary serviceman (i) has paid or will pay Use Tax on his or her cost price of any tangible personal property transferred to the primary serviceman and (ii) certifies that fact in writing to the primary serviceman.

Tangible personal property transferred incident to the completion of a maintenance agreement is exempt from the tax imposed pursuant to this Act.

Beginning July 1, 2004, prewritten computer software that is modified or enhanced, when the enhancement or modification according to Department rules is designed and developed to the specifications of a specific purchaser, is exempt from the tax imposed under this Act and the transfer of that modified or enhanced computer software is subject to tax under the Retailers' Occupation Tax Act and the Use Tax Act.

Exemption (e) also includes machinery and equipment used in the general maintenance or repair of such exempt machinery and equipment or for in-house manufacture of exempt machinery and equipment. For the purposes of exemption (e), each of these terms shall have the following meanings: (1) "manufacturing process" shall mean the production of any article of tangible personal property, whether such article is a finished product or an article for use in the process of manufacturing or assembling a different article of tangible personal property, by procedures commonly regarded as manufacturing, processing, fabricating, or refining which changes some existing material or materials into a material with a different form, use or name. In relation to a recognized integrated business composed of a series of operations which collectively constitute manufacturing, or individually constitute manufacturing operations, the manufacturing process shall be deemed to commence with the first operation or stage of production in the series, and shall not be deemed to end until the completion of the final product in the last operation or stage of production in the series; and further for purposes of exemption (e), photoprocessing is deemed to be a manufacturing process of tangible personal property for wholesale or retail sale; (2) "assembling process" shall mean the production of any article of tangible personal property, whether such article is a finished product or an article for use in the process of manufacturing or assembling a different article of tangible personal property, by the combination of existing materials in a manner commonly regarded as assembling which results in a material of a different form, use or name; (3) "machinery" shall mean major mechanical machines or major components of such machines contributing to a manufacturing or assembling process; and (4) "equipment" shall include any independent device or tool separate from any machinery but essential to an integrated manufacturing or assembly process; including computers used primarily in a manufacturer's computer assisted design, computer assisted manufacturing (CAD/CAM) system; or any subunit or assembly comprising a component of any machinery or auxiliary, adjunct or attachment parts of machinery, such as tools, dies, jigs, fixtures, patterns and molds; or any parts which require periodic replacement in the course of normal operation; but shall not include hand tools. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a product being manufactured or assembled for wholesale or retail sale or lease. The purchaser of such machinery and equipment who has an active resale registration number shall furnish such number to the seller at the time of purchase. The purchaser of such machinery and equipment and tools without an active resale registration number shall furnish to the seller a certificate of exemption for each transaction stating facts establishing the exemption for that transaction, which certificate shall be available to the Department for inspection or audit.

Except as provided in Section 2d of this Act, the rolling stock exemption applies to rolling stock used by an interstate carrier for hire, even just between points in Illinois, if such rolling stock transports, for hire, persons whose journeys or property whose shipments originate or terminate outside Illinois.

Any informal rulings, opinions or letters issued by the Department in response to an inquiry or request for any opinion from any person regarding the coverage and applicability of exemption (e) to specific devices shall be published, maintained as a public record, and made available for public inspection and copying. If the informal ruling, opinion or letter contains trade secrets or other confidential information, where possible the Department shall delete such information prior to publication. Whenever such informal rulings, opinions, or letters contain any policy of general applicability, the Department shall formulate and adopt such policy as a rule in accordance with the provisions of the Illinois Administrative Procedure Act.

On and after July 1, 1987, no entity otherwise eligible under exemption (c) of this Section shall make tax free purchases unless it has an active exemption identification number issued by the Department.

"Serviceman" means any person who is engaged in the occupation of making sales of service.

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"Sale at Retail" means "sale at retail" as defined in the Retailers' Occupation Tax Act.

"Supplier" means any person who makes sales of tangible personal property to servicemen for the purpose of resale as an incident to a sale of service.

(Source: P.A. 92-484, eff. 8-23-01; 93-23, eff. 6-20-03; 93-24, eff. 6-20-03; revised 8-21-03.)

(35 ILCS 115/3-25) (from Ch. 120, par. 439.103-25)

Sec. 3-25. Computer software.

(a) On and before June 30, 2004, for For the purposes of this Act, "computer software" means a set of statements, data, or instructions to be used directly or indirectly in a computer in order to bring about a certain result in any form in which those statements, data, or instructions may be embodied, transmitted, or fixed, by any method now known or hereafter developed, regardless of whether the statements, data, or instructions are capable of being perceived by or communicated to humans, and includes prewritten or canned software that is held for repeated sale or lease, and all associated documentation and materials, if any, whether contained on magnetic tapes, discs, cards, or other devices or media, but does not include software that is adapted to specific individualized requirements of a purchaser, custom-made and modified software designed for a particular or limited use by a purchaser, or software used to operate exempt machinery and equipment used in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease.

(b) On and after July 1, 2004, for the purposes of this Act, "computer software" has the same meaning as that term is defined in Section 2-25 of the Retailers' Occupation Tax Act.

(c) For the purposes of this Act, computer software shall be considered to be tangible personal property.

(Source: P.A. 91-51, eff. 6-30-99.)

Section 20. The Retailers' Occupation Tax Act is amended by changing Sections 1, 2, and 2-25 as follows:

(35 ILCS 120/1) (from Ch. 120, par. 440)

Sec. 1. Definitions. "Sale at retail" means any transfer of the ownership of or title to tangible personal property to a purchaser, for the purpose of use or consumption, and not for the purpose of resale in any form as tangible personal property to the extent not first subjected to a use for which it was purchased, for a valuable consideration: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or byproduct of manufacturing. For this purpose, slag produced as an incident to manufacturing pig iron or steel and sold is considered to be an intentionally produced byproduct of manufacturing. Transactions whereby the possession of the property is transferred but the seller retains the title as security for payment of the selling price shall be deemed to be sales.

Beginning July 1, 2004, "sale at retail" includes the licensing of computer software.

"Sale at retail" shall be construed to include any transfer of the ownership of or title to tangible personal property to a purchaser, for use or consumption by any other person to whom such purchaser may transfer the tangible personal property without a valuable consideration, and to include any transfer, whether made for or without a valuable consideration, for resale in any form as tangible personal property unless made in compliance with Section 2c of this Act.

Sales of tangible personal property, which property, to the extent not first subjected to a use for which it was purchased, as an ingredient or constituent, goes into and forms a part of tangible personal property subsequently the subject of a "Sale at retail", are not sales at retail as defined in this Act: Provided that the property purchased is deemed to be purchased for the purpose of resale, despite first being used, to the extent to which it is resold as an ingredient of an intentionally produced product or byproduct of manufacturing.

"Sale at retail" shall be construed to include any Illinois florist's sales transaction in which the purchase order is received in Illinois by a florist and the sale is for use or consumption, but the Illinois florist has a florist in another state deliver the property to the purchaser or the purchaser's donee in such other state.

Nonreusable tangible personal property that is used by persons engaged in the business of operating a restaurant, cafeteria, or drive-in is a sale for resale when it is transferred to customers in the ordinary course of business as part of the sale of food or beverages and is used to deliver, package, or consume food or beverages, regardless of where consumption of the food or beverages occurs. Examples of those items include, but are not limited to nonreusable, paper and plastic cups, plates, baskets, boxes, sleeves, buckets or other containers, utensils, straws, placemats, napkins, doggie bags, and wrapping or packaging materials that are transferred to customers as part of the sale of food or beverages in the

ordinary course of business.

The purchase, employment and transfer of such tangible personal property as newsprint and ink for the primary purpose of conveying news (with or without other information) is not a purchase, use or sale of tangible personal property.

A person whose activities are organized and conducted primarily as a not-for-profit service enterprise, and who engages in selling tangible personal property at retail (whether to the public or merely to members and their guests) is engaged in the business of selling tangible personal property at retail with respect to such transactions, excepting only a person organized and operated exclusively for charitable, religious or educational purposes either (1), to the extent of sales by such person to its members, students, patients or inmates of tangible personal property to be used primarily for the purposes of such person, or (2), to the extent of sales by such person of tangible personal property which is not sold or offered for sale by persons organized for profit. The selling of school books and school supplies by schools at retail to students is not "primarily for the purposes of" the school which does such selling. The provisions of this paragraph shall not apply to nor subject to taxation occasional dinners, socials or similar activities of a person organized and operated exclusively for charitable, religious or educational purposes, whether or not such activities are open to the public.

A person who is the recipient of a grant or contract under Title VII of the Older Americans Act of 1965 (P.L. 92-258) and serves meals to participants in the federal Nutrition Program for the Elderly in return for contributions established in amount by the individual participant pursuant to a schedule of suggested fees as provided for in the federal Act is not engaged in the business of selling tangible personal property at retail with respect to such transactions.

"Purchaser" means anyone who, through a sale at retail, acquires the ownership of or title to tangible personal property for a valuable consideration.

"Reseller of motor fuel" means any person engaged in the business of selling or delivering or transferring title of motor fuel to another person other than for use or consumption. No person shall act as a reseller of motor fuel within this State without first being registered as a reseller pursuant to Section 2c or a retailer pursuant to Section 2a.

"Selling price" or the "amount of sale" means the consideration for a sale valued in money whether received in money or otherwise, including cash, credits, property, other than as hereinafter provided, and services, but not including the value of or credit given for traded-in tangible personal property where the item that is traded-in is of like kind and character as that which is being sold, and shall be determined without any deduction on account of the cost of the property sold, the cost of materials used, labor or service cost or any other expense whatsoever, but does not include charges that are added to prices by sellers on account of the seller's tax liability under this Act, or on account of the seller's duty to collect, from the purchaser, the tax that is imposed by the Use Tax Act, or on account of the seller's tax liability under Section 8-11-1 of the Illinois Municipal Code, as heretofore and hereafter amended, or on account of the seller's tax liability under the County Retailers' Occupation Tax Act, or on account of the seller's tax liability under the Home Rule Municipal Soft Drink Retailers' Occupation Tax, or on account of the seller's tax liability under any tax imposed under the "Regional Transportation Authority Act", approved December 12, 1973. Effective December 1, 1985, "selling price" shall include charges that are added to prices by sellers on account of the seller's tax liability under the Cigarette Tax Act, on account of the sellers' duty to collect, from the purchaser, the tax imposed under the Cigarette Use Tax Act, and on account of the seller's duty to collect, from the purchaser, any cigarette tax imposed by a home rule unit.

The phrase "like kind and character" shall be liberally construed (including but not limited to any form of motor vehicle for any form of motor vehicle, or any kind of farm or agricultural implement for any other kind of farm or agricultural implement), while not including a kind of item which, if sold at retail by that retailer, would be exempt from retailers' occupation tax and use tax as an isolated or occasional sale.

"Gross receipts" from the sales of tangible personal property at retail means the total selling price or the amount of such sales, as hereinbefore defined. In the case of charge and time sales, the amount thereof shall be included only as and when payments are received by the seller. Receipts or other consideration derived by a seller from the sale, transfer or assignment of accounts receivable to a wholly owned subsidiary will not be deemed payments prior to the time the purchaser makes payment on such accounts.

"Department" means the Department of Revenue.

"Person" means any natural individual, firm, partnership, association, joint stock company, joint adventure, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian or other representative appointed by order of any court.

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The isolated or occasional sale of tangible personal property at retail by a person who does not hold himself out as being engaged (or who does not habitually engage) in selling such tangible personal property at retail, or a sale through a bulk vending machine, does not constitute engaging in a business of selling such tangible personal property at retail within the meaning of this Act; provided that any person who is engaged in a business which is not subject to the tax imposed by this Act because of involving the sale of or a contract to sell real estate or a construction contract to improve real estate or a construction contract to engineer, install, and maintain an integrated system of products, but who, in the course of conducting such business, transfers tangible personal property to users or consumers in the finished form in which it was purchased, and which does not become real estate or was not engineered and installed, under any provision of a construction contract or real estate sale or real estate sales agreement entered into with some other person arising out of or because of such nontaxable business, is engaged in the business of selling tangible personal property at retail to the extent of the value of the tangible personal property so transferred. If, in such a transaction, a separate charge is made for the tangible personal property so transferred, the value of such property, for the purpose of this Act, shall be the amount so separately charged, but not less than the cost of such property to the transferor; if no separate charge is made, the value of such property, for the purposes of this Act, is the cost to the transferor of such tangible personal property. Construction contracts for the improvement of real estate consisting of engineering, installation, and maintenance of voice, data, video, security, and all telecommunication systems do not constitute engaging in a business of selling tangible personal property at retail within the meaning of this Act if they are sold at one specified contract price.

A person who holds himself or herself out as being engaged (or who habitually engages) in selling tangible personal property at retail is a person engaged in the business of selling tangible personal property at retail hereunder with respect to such sales (and not primarily in a service occupation) notwithstanding the fact that such person designs and produces such tangible personal property on special order for the purchaser and in such a way as to render the property of value only to such purchaser, if such tangible personal property so produced on special order serves substantially the same function as stock or standard items of tangible personal property that are sold at retail.

Persons who engage in the business of transferring tangible personal property upon the redemption of trading stamps are engaged in the business of selling such property at retail and shall be liable for and shall pay the tax imposed by this Act on the basis of the retail value of the property transferred upon redemption of such stamps.

"Bulk vending machine" means a vending machine, containing unsorted confections, nuts, toys, or other items designed primarily to be used or played with by children which, when a coin or coins of a denomination not larger than \$0.50 are inserted, are dispensed in equal portions, at random and without selection by the customer.

(Source: P.A. 92-213, eff. 1-1-02.)

(35 ILCS 120/2) (from Ch. 120, par. 441)

Sec. 2. Tax imposed. A tax is imposed upon persons engaged in the business of selling at retail tangible personal property, including computer software, and including photographs, negatives, and positives that are the product of photoprocessing, but not including products of photoprocessing produced for use in motion pictures for public commercial exhibition. Beginning January 1, 2001, prepaid telephone calling arrangements shall be considered tangible personal property subject to the tax imposed under this Act regardless of the form in which those arrangements may be embodied, transmitted, or fixed by any method now known or hereafter developed. Beginning July 1, 2004, computer software subject to tax under this Act includes licenses of computer software.

(Source: P.A. 91-51, eff. 6-30-99; 91-870, eff. 6-22-00.)

(35 ILCS 120/2-25) (from Ch. 120, par. 441-25)

Sec. 2-25. Computer software. For the purposes of this Act, "computer software" means a set of statements, data, or instructions to be used directly or indirectly in a computer in order to bring about a certain result in any form in which those statements, data, or instructions may be embodied, transmitted, or fixed, by any method now known or hereafter developed, regardless of whether the statements, data, or instructions are capable of being perceived by or communicated to humans, and includes prewritten or canned software that is held for repeated sale or lease, and all associated documentation and materials, if any, whether contained on magnetic tapes, discs, cards, or other devices or media, but does not include (i) on and before June 30, 2004, software that is adapted to specific individualized requirements of a purchaser, custom-made and modified software designed for a particular or limited use by a purchaser, or (ii) software used to operate exempt machinery and equipment used in the process of manufacturing or assembling tangible personal property for

wholesale or retail sale or lease.

Beginning on July 1, 2004, "prewritten computer software" means computer software, including upgrades, that is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of 2 or more "prewritten computer software" programs or prewritten portions thereof does not cause the combination to be other than "prewritten computer software". "Prewritten computer software" includes software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the specific purchaser. If a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of that person's modifications or enhancements. "Prewritten computer software" or a prewritten portion thereof that is modified or enhanced to any degree, when the modification or enhancement according to Department rules is designed and developed to the specifications of a specific purchaser, remains "prewritten computer software", except that when there is a reasonable separately stated charge or an invoice or other statement of the price given to the purchaser for the modification or enhancement, the modification or enhancement does not constitute "prewritten computer software".

For the purposes of this Act, computer software shall be considered to be tangible personal property.

(Source: P.A. 91-51, eff. 6-30-99.)

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

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 2205, AS AMENDED, by inserting the following immediately below the enacting clause:

"Section 3. The State Finance Act is amended by changing Section 6z-45 as follows:
(30 ILCS 105/6z-45)

Sec. 6z-45. The School Infrastructure Fund.

(a) The School Infrastructure Fund is created as a special fund in the State Treasury.

In addition to any other deposits authorized by law, beginning January 1, 2000, on the first day of each month, or as soon thereafter as may be practical, the State Treasurer and State Comptroller shall transfer the sum of \$5,000,000 from the General Revenue Fund to the School Infrastructure Fund; provided, however, that no such transfers shall be made from July 1, 2001 through June 30, 2003.

In addition to any other deposits authorized by this Section or by any other law, beginning July 1, 2004, on the first day of each month, or as soon thereafter as may be practical, the State Treasurer and State Comptroller shall transfer the sum of \$5,000,000 from the General Revenue Fund to the School Infrastructure Fund.

(b) Subject to the transfer provisions set forth below, money in the School Infrastructure Fund shall, if and when the State of Illinois incurs any bonded indebtedness for the construction of school improvements under the School Construction Law, be set aside and used for the purpose of paying and discharging annually the principal and interest on that bonded indebtedness then due and payable, and for no other purpose.

In addition to other transfers to the General Obligation Bond Retirement and Interest Fund made pursuant to Section 15 of the General Obligation Bond Act, upon each delivery of bonds issued for construction of school improvements under the School Construction Law, the State Comptroller shall compute and certify to the State Treasurer the total amount of principal of, interest on, and premium, if any, on such bonds during the then current and each succeeding fiscal year. With respect to the interest payable on variable rate bonds, such certifications shall be calculated at the maximum rate of interest that may be payable during the fiscal year, after taking into account any credits permitted in the related indenture or other instrument against the amount of such interest required to be appropriated for that period.

On or before the last day of each month, the State Treasurer and State Comptroller shall transfer from the School Infrastructure Fund to the General Obligation Bond Retirement and Interest Fund an amount sufficient to pay the aggregate of the principal of, interest on, and premium, if any, on the bonds payable on their next payment date, divided by the number of monthly transfers occurring between the last previous payment date (or the delivery date if no payment date has yet occurred) and the next succeeding payment date. Interest payable on variable rate bonds shall be calculated at the maximum rate of interest that may be payable for the relevant period, after taking into account any credits permitted in the related indenture or other instrument against the amount of such interest

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required to be appropriated for that period. Interest for which moneys have already been deposited into the capitalized interest account within the General Obligation Bond Retirement and Interest Fund shall not be included in the calculation of the amounts to be transferred under this subsection.

(c) The surplus, if any, in the School Infrastructure Fund after the payment of principal and interest on that bonded indebtedness then annually due shall, subject to appropriation, be used as follows:

First - to make 3 payments to the School Technology Revolving Loan Fund as follows:

Transfer of \$30,000,000 in fiscal year 1999;

Transfer of \$20,000,000 in fiscal year 2000; and

Transfer of \$10,000,000 in fiscal year 2001.

Second - to pay the expenses of the State Board of Education and the Capital Development Board in administering programs under the School Construction Law, the total expenses not to exceed \$1,200,000 in any fiscal year.

Third - to pay any amounts due for grants for school construction projects and debt service under the School Construction Law.

Fourth - to pay any amounts due for grants for school maintenance projects under the School Construction Law.

(Source: P.A. 92-11, eff. 6-11-01; 92-600, eff. 6-28-02; 93-9, eff. 6-3-03.)".

AMENDMENT NO. 3

AMENDMENT NO. 3. Amend Senate Bill 2205, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the FY2005 Budget Implementation (Education) Act.

Section 5. Purpose. It is the purpose of this Act to make changes in State programs that are necessary to implement the Governor's FY2005 budget recommendations concerning education.

Section 10. The State Finance Act is amended by adding Sections 6z-65, 6z-66, and 6z-67 as follows:

(30 ILCS 105/6z-65 new)

Sec. 6z-65. SBE Federal Department of Education Fund. The SBE Federal Department of Education Fund is created as a federal trust fund in the State treasury. This fund is established to receive funds from the federal Department of Education, including administrative funds recovered from federal programs, for the specific purposes established by the terms and conditions of federal awards. All moneys in the SBE Federal Department of Education Fund shall be used, subject to appropriation by the General Assembly, for grants and contracts to local education agencies, colleges and universities, and other State agencies and for administrative expenses of the State Board of Education.

(30 ILCS 105/6z-66 new)

Sec. 6z-66. SBE Federal Agency Services Fund. The SBE Federal Agency Services Fund is created as a federal trust fund in the State treasury. This fund is established to receive funds from all federal departments and agencies except the Departments of Education and Agriculture (including among others the Departments of Health and Human Services, Defense, and Labor and the Corporation for National and Community Service), including administrative funds recovered from federal programs, for the specific purposes established by the terms and conditions of federal awards. All moneys in the SBE Federal Agency Services Fund shall be used, subject to appropriation by the General Assembly, for grants and contracts to local education agencies, colleges and universities, and other State agencies and for administrative expenses of the State Board of Education.

(30 ILCS 105/6z-67 new)

Sec. 6z-67. SBE Federal Department of Agriculture Fund. The SBE Federal Department of Agriculture Fund is created as a federal trust fund in the State treasury. This fund is established to receive funds from the federal Department of Education, including administrative funds recovered from federal programs, for the specific purposes established by the terms and conditions of federal awards. All moneys in the SBE Federal Department of Agriculture Fund shall be used, subject to appropriation by the General Assembly, for grants and contracts to local education agencies, colleges and universities, and other State agencies and for administrative expenses of the State Board of Education.

Section 15. The School Code is amended by changing Sections 2-3.64, 2-3.131, and 18-8.05 as follows:

(105 ILCS 5/2-3.64) (from Ch. 122, par. 2-3.64)

Sec. 2-3.64. State goals and assessment.

(a) Beginning in the 1998-1999 school year, the State Board of Education shall establish standards and periodically, in collaboration with local school districts, conduct studies of student performance in the learning areas of fine arts and physical development/health.

Beginning with the 1998-1999 school year until the 2004-2005 school year ~~2005-2006 school year at the latest~~, the State Board of Education shall annually test: (i) all pupils enrolled in the 3rd, 5th, and 8th grades in English language arts (reading, writing, and English grammar) and mathematics; and (ii) all pupils enrolled in the 4th and 7th grades in the biological and physical sciences and the social sciences (history, geography, civics, economics, and government). Unless the testing required to be implemented no later than the 2005-2006 school year under this subsection (a) is implemented for the 2004-2005 school year, for the 2004-2005 school year, the State Board of Education shall test: (i) all pupils enrolled in the 3rd, 5th, and 8th grades in English language arts (reading and English grammar) and mathematics and (ii) all pupils enrolled in the 4th and 7th grades in the biological and physical sciences. The maximum time allowed for all actual testing required under this paragraph shall not exceed 25 hours, as allocated among the required tests by the State Board of Education, across all grades tested.

Beginning no later than the 2005-2006 school year, the State Board of Education shall annually test: (i) all pupils enrolled in the 3rd, 4th, 5th, 6th, 7th, and 8th grades in reading and mathematics and; (ii) ~~all pupils enrolled in 3rd, 4th, 6th, and 8th grades in writing;~~ (iii) all pupils enrolled in the 4th and 7th grades in the biological and physical sciences; and (iv) ~~all pupils enrolled in 5th and 8th grades in the social sciences (history, geography, economics, civics, and government).~~ The State Board of Education shall sample student performance in the learning area of physical development and health in grades 4 and 7 through the science tests and in the learning area of fine arts in grades 5 and 8 through the social sciences tests. After the addition of subjects and grades and change in subjects as delineated in this paragraph and including whatever other tests that may be approved from time to time no later than the 2005-2006 school year, the maximum time allowed for all State testing in grades 3 through 8 shall not exceed 38 hours across those grades.

Beginning with the 2004-2005 school year, the State Board of Education shall not test pupils under this subsection (a) in writing, physical development and health, fine arts, and the social sciences (history, geography, civics, economics, and government).

The State Board of Education shall establish the academic standards that are to be applicable to pupils who are subject to State tests under this Section beginning with the 1998-1999 school year. However, the State Board of Education shall not establish any such standards in final form without first providing opportunities for public participation and local input in the development of the final academic standards. Those opportunities shall include a well-publicized period of public comment, public hearings throughout the State, and opportunities to file written comments. Beginning with the 1998-99 school year and thereafter, the State tests will identify pupils in the 3rd grade or 5th grade who do not meet the State standards.

If, by performance on the State tests or local assessments or by teacher judgment, a student's performance is determined to be 2 or more grades below current placement, the student shall be provided a remediation program developed by the district in consultation with a parent or guardian. Such remediation programs may include, but shall not be limited to, increased or concentrated instructional time, a remedial summer school program of not less than 90 hours, improved instructional approaches, tutorial sessions, retention in grade, and modifications to instructional materials. Each pupil for whom a remediation program is developed under this subsection shall be required to enroll in and attend whatever program the district determines is appropriate for the pupil. Districts may combine students in remediation programs where appropriate and may cooperate with other districts in the design and delivery of those programs. The parent or guardian of a student required to attend a remediation program under this Section shall be given written notice of that requirement by the school district a reasonable time prior to commencement of the remediation program that the student is to attend. The State shall be responsible for providing school districts with the new and additional funding, under Section 2-3.51.5 or by other or additional means, that is required to enable the districts to operate remediation programs for the pupils who are required to enroll in and attend those programs under this Section. Every individualized educational program as described in Article 14 shall identify if the State test or components thereof are appropriate for that student. The State Board of Education shall develop rules and regulations governing the

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administration of alternative tests prescribed within each student's individualized educational program which are appropriate to the disability of each student.

All pupils who are in a State approved transitional bilingual education program or transitional program of instruction shall participate in the State tests. Any student who has been enrolled in a State approved bilingual education program less than 3 cumulative academic years may take an accommodated State test, to be known as the Illinois Measure of Annual Growth in English (IMAGE), if the student's lack of English as determined by an English language proficiency test would keep the student from understanding the regular State test. If the school district determines, on a case-by-case individual basis, that IMAGE would likely yield more accurate and reliable information on what the student knows and can do, the school district may make a determination to assess the student using IMAGE for a period that does not exceed 2 additional consecutive years, provided that the student has not yet reached a level of English language proficiency sufficient to yield valid and reliable information on what the student knows and can do on the regular State test.

Reasonable accommodations as prescribed by the State Board of Education shall be provided for individual students in the testing procedure. All test procedures prescribed by the State Board of Education shall require: (i) that each test used for State and local student testing under this Section identify by name the pupil taking the test; (ii) that the name of the pupil taking the test be placed on the test at the time the test is taken; (iii) that the results or scores of each test taken under this Section by a pupil of the school district be reported to that district and identify by name the pupil who received the reported results or scores; and (iv) that the results or scores of each test taken under this Section be made available to the parents of the pupil. In addition, in each school year the highest scores attained by a student on the Prairie State Achievement Examination administered under subsection (c) of this Section and any Prairie State Achievement Awards received by the student shall become part of the student's permanent record and shall be entered on the student's transcript pursuant to regulations that the State Board of Education shall promulgate for that purpose in accordance with Section 3 and subsection (e) of Section 2 of the Illinois School Student Records Act. Beginning with the 1998-1999 school year and in every school year thereafter, scores received by students on the State assessment tests administered in grades 3 through 8 shall be placed into students' temporary records.

The State Board of Education shall establish a period of time, to be referred to as the State test window, in each school year for which State testing shall occur to meet the objectives of this Section. However, if the schools of a district are closed and classes are not scheduled during any week that is established by the State Board of Education as the State test window, the school district may (at the discretion of the State Board of Education) move its State test window one week earlier or one week later than the established State test window, so long as the school district gives the State Board of Education written notice of its intention to deviate from the established schedule by December 1 of the school year in which falls the State test window established by the State Board of Education for the testing.

(a-5) All tests administered pursuant to this Section shall be academically based. For the purposes of this Section "academically based tests" shall mean tests consisting of questions and answers that are measurable and quantifiable to measure the knowledge, skill, and ability of students in the subject matters covered by tests. The scoring of academically based tests shall be reliable, valid, unbiased and shall meet the guidelines for test development and use prescribed by the American Psychological Association, the National Council of Measurement and Evaluation, and the American Educational Research Association. Academically based tests shall not include assessments or evaluations of attitudes, values, or beliefs, or testing of personality, self-esteem, or self-concept. Nothing in this amendatory Act is intended, nor shall it be construed, to nullify, supersede, or contradict the legislative intent on academic testing expressed during the passage of HB 1005/P.A. 90-296. Nothing in this Section is intended, nor shall it be construed, to nullify, supersede, or contradict the legislative intent on academic testing expressed in the preamble of this amendatory Act of the 93rd General Assembly.

The State Board of Education shall monitor the use of short answer questions in the math and reading assessments or in other assessments in order to demonstrate that the use of short answer questions results in a statistically significant improvement in student achievement as measured on the State assessments for math and reading or on other State assessments and is justifiable in terms of cost and student performance.

(b) It shall be the policy of the State to encourage school districts to continuously test pupil proficiency in the fundamental learning areas in order to: (i) provide timely information on individual students' performance relative to State standards that is adequate to guide instructional strategies; (ii) improve future instruction; and (iii) complement the information provided by the State testing system

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described in this Section. Each district's school improvement plan must address specific activities the district intends to implement to assist pupils who by teacher judgment and test results as prescribed in subsection (a) of this Section demonstrate that they are not meeting State standards or local objectives. Such activities may include, but shall not be limited to, summer school, extended school day, special homework, tutorial sessions, modified instructional materials, other modifications in the instructional program, reduced class size or retention in grade. To assist school districts in testing pupil proficiency in reading in the primary grades, the State Board shall make optional reading inventories for diagnostic purposes available to each school district that requests such assistance. Districts that administer the reading inventories may develop remediation programs for students who perform in the bottom half of the student population. Those remediation programs may be funded by moneys provided under the School Safety and Educational Improvement Block Grant Program established under Section 2-3.51.5. Nothing in this Section shall prevent school districts from implementing testing and remediation policies for grades not required under this Section.

(c) Beginning with the 2000-2001 school year, each school district that operates a high school program for students in grades 9 through 12 shall annually administer the Prairie State Achievement Examination established under this subsection to its students as set forth below. The Prairie State Achievement Examination shall be developed by the State Board of Education to measure student performance in the academic areas of reading, writing, mathematics, science, and social sciences. Beginning with the 2004-2005 school year, however, the State Board of Education shall not test a student in writing and the social sciences (history, geography, civics, economics, and government) as part of the Prairie State Achievement Examination unless the student is retaking the Prairie State Achievement Examination in the fall of 2004. The State Board of Education shall establish the academic standards that are to apply in measuring student performance on the Prairie State Achievement Examination including the minimum examination score in each area that will qualify a student to receive a Prairie State Achievement Award from the State in recognition of the student's excellent performance. Each school district that is subject to the requirements of this subsection (c) shall afford all students 2 opportunities to take the Prairie State Achievement Examination beginning as late as practical during the second semester of grade 11, but in no event before March 1. The State Board of Education shall annually notify districts of the weeks during which these test administrations shall be required to occur. Every individualized educational program as described in Article 14 shall identify if the Prairie State Achievement Examination or components thereof are appropriate for that student. Each student, exclusive of a student whose individualized educational program developed under Article 14 identifies the Prairie State Achievement Examination as inappropriate for the student, shall be required to take the examination in grade 11. For each academic area the State Board of Education shall establish the score that qualifies for the Prairie State Achievement Award on that portion of the examination. Any student who fails to earn a qualifying score for a Prairie State Achievement Award in any one or more of the academic areas on the initial test administration or who wishes to improve his or her score on any portion of the examination shall be permitted to retake such portion or portions of the examination during grade 12. Districts shall inform their students of the timelines and procedures applicable to their participation in every yearly administration of the Prairie State Achievement Examination. Students receiving special education services whose individualized educational programs identify the Prairie State Achievement Examination as inappropriate for them nevertheless shall have the option of taking the examination, which shall be administered to those students in accordance with standards adopted by the State Board of Education to accommodate the respective disabilities of those students. A student who successfully completes all other applicable high school graduation requirements but fails to receive a score on the Prairie State Achievement Examination that qualifies the student for receipt of a Prairie State Achievement Award shall nevertheless qualify for the receipt of a regular high school diploma.

(d) Beginning with the 2002-2003 school year, all schools in this State that are part of the sample drawn by the National Center for Education Statistics, in collaboration with their school districts and the State Board of Education, shall administer the biennial State academic assessments of 4th and 8th grade reading and mathematics under the National Assessment of Educational Progress carried out under Section m11(b)(2) of the National Education Statistics Act of 1994 (20 U.S.C. 9010) if the Secretary of Education pays the costs of administering the assessments.

(e) Beginning no later than the 2005-2006 school year, subject to available federal funds to this State for the purpose of student assessment, the State Board of Education shall provide additional tests and assessment resources that may be used by school districts for local diagnostic purposes. These tests and resources shall include without limitation additional high school writing, physical development and health, and fine arts assessments. The State Board of Education shall annually

distribute a listing of these additional tests and resources, using funds available from appropriations made for student assessment purposes.

(f) For the assessment and accountability purposes of this Section, "all pupils" includes those pupils enrolled in a public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control, a charter school operating in compliance with the Charter Schools Law, a school operated by a regional office of education under Section 13A-3 of this Code, or a public school administered by a local public agency or the Department of Human Services.

(Source: P.A. 92-604, eff. 7-1-02; 93-426, eff. 8-5-03.)

(105 ILCS 5/2-3.131)

Sec. 2-3.131. ~~FY2004~~ Transitional assistance payments.

(a) If the amount that the State Board of Education will pay to a school district from fiscal year 2004 appropriations, as estimated by the State Board of Education on April 1, 2004, is less than the amount that the State Board of Education paid to the school district from fiscal year 2003 appropriations, then, subject to appropriation, the State Board of Education shall make a fiscal year 2004 transitional assistance payment to the school district in an amount equal to the difference between the estimated amount to be paid from fiscal year 2004 appropriations and the amount paid from fiscal year 2003 appropriations.

(b) If the amount that the State Board of Education will pay to a school district from fiscal year 2005 appropriations, as estimated by the State Board of Education on April 1, 2005, is less than the amount that the State Board of Education paid to the school district from fiscal year 2004 appropriations, then the State Board of Education shall make a fiscal year 2005 transitional assistance payment to the school district in an amount equal to the difference between the estimated amount to be paid from fiscal year 2005 appropriations and the amount paid from fiscal year 2004 appropriations.

(Source: P.A. 93-21, eff. 7-1-03.)

(105 ILCS 5/18-8.05)

Sec. 18-8.05. Basis for apportionment of general State financial aid and supplemental general State aid to the common schools for the 1998-1999 and subsequent school years.

(A) General Provisions.

(1) The provisions of this Section apply to the 1998-1999 and subsequent school years. The system of general State financial aid provided for in this Section is designed to assure that, through a combination of State financial aid and required local resources, the financial support provided each pupil in Average Daily Attendance equals or exceeds a prescribed per pupil Foundation Level. This formula approach imputes a level of per pupil Available Local Resources and provides for the basis to calculate a per pupil level of general State financial aid that, when added to Available Local Resources, equals or exceeds the Foundation Level. The amount of per pupil general State financial aid for school districts, in general, varies in inverse relation to Available Local Resources. Per pupil amounts are based upon each school district's Average Daily Attendance as that term is defined in this Section.

(2) In addition to general State financial aid, school districts with specified levels or concentrations of pupils from low income households are eligible to receive supplemental general State financial aid grants as provided pursuant to subsection (H). The supplemental State aid grants provided for school districts under subsection (H) shall be appropriated for distribution to school districts as part of the same line item in which the general State financial aid of school districts is appropriated under this Section.

(3) To receive financial assistance under this Section, school districts are required to file claims with the State Board of Education, subject to the following requirements:

(a) Any school district which fails for any given school year to maintain school as required by law, or to maintain a recognized school is not eligible to file for such school year any claim upon the Common School Fund. In case of nonrecognition of one or more attendance centers in a school district otherwise operating recognized schools, the claim of the district shall be reduced in the proportion which the Average Daily Attendance in the attendance center or centers bear to the Average Daily Attendance in the school district. A "recognized school" means any public school which meets the standards as established for recognition by the State Board of Education. A school district or attendance center not having recognition status at the end of a school term is entitled to receive State aid payments due upon a legal claim which was filed while it was recognized.

(b) School district claims filed under this Section are subject to Sections 18-9, 18-10, and 18-12, except as otherwise provided in this Section.

(c) If a school district operates a full year school under Section 10-19.1, the general State aid to the school district shall be determined by the State Board of Education in accordance with this Section as near as may be applicable.

(d) (Blank).

(4) Except as provided in subsections (H) and (L), the board of any district receiving any of the grants provided for in this Section may apply those funds to any fund so received for which that board is authorized to make expenditures by law.

School districts are not required to exert a minimum Operating Tax Rate in order to qualify for assistance under this Section.

(5) As used in this Section the following terms, when capitalized, shall have the meaning ascribed herein:

(a) "Average Daily Attendance": A count of pupil attendance in school, averaged as provided for in subsection (C) and utilized in deriving per pupil financial support levels.

(b) "Available Local Resources": A computation of local financial support, calculated on the basis of Average Daily Attendance and derived as provided pursuant to subsection (D).

(c) "Corporate Personal Property Replacement Taxes": Funds paid to local school districts pursuant to "An Act in relation to the abolition of ad valorem personal property tax and the replacement of revenues lost thereby, and amending and repealing certain Acts and parts of Acts in connection therewith", certified August 14, 1979, as amended (Public Act 81-1st S.S.-1).

(d) "Foundation Level": A prescribed level of per pupil financial support as provided for in subsection (B).

(e) "Operating Tax Rate": All school district property taxes extended for all purposes, except Bond and Interest, Summer School, Rent, Capital Improvement, and Vocational Education Building purposes.

(B) Foundation Level.

(1) The Foundation Level is a figure established by the State representing the minimum level of per pupil financial support that should be available to provide for the basic education of each pupil in Average Daily Attendance. As set forth in this Section, each school district is assumed to exert a sufficient local taxing effort such that, in combination with the aggregate of general State financial aid provided the district, an aggregate of State and local resources are available to meet the basic education needs of pupils in the district.

(2) For the 1998-1999 school year, the Foundation Level of support is \$4,225. For the 1999-2000 school year, the Foundation Level of support is \$4,325. For the 2000-2001 school year, the Foundation Level of support is \$4,425. ~~(3) For the 2001-2002 school year and 2002-2003 school year, the Foundation Level of support is \$4,560. For the 2003-2004 school year, the Foundation Level of support is \$4,810.~~

~~(3) (4) For the 2004-2005 2003-2004 school year and each school year thereafter, the Foundation Level of support is \$4,964 \$4,810 or such greater amount as may be established by law by the General Assembly.~~

(C) Average Daily Attendance.

(1) For purposes of calculating general State aid pursuant to subsection (E), an Average Daily Attendance figure shall be utilized. The Average Daily Attendance figure for formula calculation purposes shall be the monthly average of the actual number of pupils in attendance of each school district, as further averaged for the best 3 months of pupil attendance for each school district. In compiling the figures for the number of pupils in attendance, school districts and the State Board of Education shall, for purposes of general State aid funding, conform attendance figures to the requirements of subsection (F).

(2) The Average Daily Attendance figures utilized in subsection (E) shall be the requisite attendance data for the school year immediately preceding the school year for which general State aid is being calculated or the average of the attendance data for the 3 preceding school years, whichever is greater. The Average Daily Attendance figures utilized in subsection (H) shall be the requisite attendance data for the school year immediately preceding the school year for which general State aid is being calculated.

(D) Available Local Resources.

(1) For purposes of calculating general State aid pursuant to subsection (E), a representation of

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Available Local Resources per pupil, as that term is defined and determined in this subsection, shall be utilized. Available Local Resources per pupil shall include a calculated dollar amount representing local school district revenues from local property taxes and from Corporate Personal Property Replacement Taxes, expressed on the basis of pupils in Average Daily Attendance.

(2) In determining a school district's revenue from local property taxes, the State Board of Education shall utilize the equalized assessed valuation of all taxable property of each school district as of September 30 of the previous year. The equalized assessed valuation utilized shall be obtained and determined as provided in subsection (G).

(3) For school districts maintaining grades kindergarten through 12, local property tax revenues per pupil shall be calculated as the product of the applicable equalized assessed valuation for the district multiplied by 3.00%, and divided by the district's Average Daily Attendance figure. For school districts maintaining grades kindergarten through 8, local property tax revenues per pupil shall be calculated as the product of the applicable equalized assessed valuation for the district multiplied by 2.30%, and divided by the district's Average Daily Attendance figure. For school districts maintaining grades 9 through 12, local property tax revenues per pupil shall be the applicable equalized assessed valuation of the district multiplied by 1.05%, and divided by the district's Average Daily Attendance figure.

(4) The Corporate Personal Property Replacement Taxes paid to each school district during the calendar year 2 years before the calendar year in which a school year begins, divided by the Average Daily Attendance figure for that district, shall be added to the local property tax revenues per pupil as derived by the application of the immediately preceding paragraph (3). The sum of these per pupil figures for each school district shall constitute Available Local Resources as that term is utilized in subsection (E) in the calculation of general State aid.

(E) Computation of General State Aid.

(1) For each school year, the amount of general State aid allotted to a school district shall be computed by the State Board of Education as provided in this subsection.

(2) For any school district for which Available Local Resources per pupil is less than the product of 0.93 times the Foundation Level, general State aid for that district shall be calculated as an amount equal to the Foundation Level minus Available Local Resources, multiplied by the Average Daily Attendance of the school district.

(3) For any school district for which Available Local Resources per pupil is equal to or greater than the product of 0.93 times the Foundation Level and less than the product of 1.75 times the Foundation Level, the general State aid per pupil shall be a decimal proportion of the Foundation Level derived using a linear algorithm. Under this linear algorithm, the calculated general State aid per pupil shall decline in direct linear fashion from 0.07 times the Foundation Level for a school district with Available Local Resources equal to the product of 0.93 times the Foundation Level, to 0.05 times the Foundation Level for a school district with Available Local Resources equal to the product of 1.75 times the Foundation Level. The allocation of general State aid for school districts subject to this paragraph 3 shall be the calculated general State aid per pupil figure multiplied by the Average Daily Attendance of the school district.

(4) For any school district for which Available Local Resources per pupil equals or exceeds the product of 1.75 times the Foundation Level, the general State aid for the school district shall be calculated as the product of \$218 multiplied by the Average Daily Attendance of the school district.

(5) The amount of general State aid allocated to a school district for the 1999-2000 school year meeting the requirements set forth in paragraph (4) of subsection (G) shall be increased by an amount equal to the general State aid that would have been received by the district for the 1998-1999 school year by utilizing the Extension Limitation Equalized Assessed Valuation as calculated in paragraph (4) of subsection (G) less the general State aid allotted for the 1998-1999 school year. This amount shall be deemed a one time increase, and shall not affect any future general State aid allocations.

(F) Compilation of Average Daily Attendance.

(1) Each school district shall, by July 1 of each year, submit to the State Board of Education, on forms prescribed by the State Board of Education, attendance figures for the school year that began in the preceding calendar year. The attendance information so transmitted shall identify the average daily attendance figures for each month of the school year. Beginning with the general State aid claim form for the 2002-2003 school year, districts shall calculate Average Daily Attendance as provided in subdivisions (a), (b), and (c) of this paragraph (1).

(a) In districts that do not hold year-round classes, days of attendance in August

shall be added to the month of September and any days of attendance in June shall be added to the month of May.

(b) In districts in which all buildings hold year-round classes, days of attendance in July and August shall be added to the month of September and any days of attendance in June shall be added to the month of May.

(c) In districts in which some buildings, but not all, hold year-round classes, for the non-year-round buildings, days of attendance in August shall be added to the month of September and any days of attendance in June shall be added to the month of May. The average daily attendance for the year-round buildings shall be computed as provided in subdivision (b) of this paragraph (1). To calculate the Average Daily Attendance for the district, the average daily attendance for the year-round buildings shall be multiplied by the days in session for the non-year-round buildings for each month and added to the monthly attendance of the non-year-round buildings.

Except as otherwise provided in this Section, days of attendance by pupils shall be counted only for sessions of not less than 5 clock hours of school work per day under direct supervision of: (i) teachers, or (ii) non-teaching personnel or volunteer personnel when engaging in non-teaching duties and supervising in those instances specified in subsection (a) of Section 10-22.34 and paragraph 10 of Section 34-18, with pupils of legal school age and in kindergarten and grades 1 through 12.

Days of attendance by tuition pupils shall be accredited only to the districts that pay the tuition to a recognized school.

(2) Days of attendance by pupils of less than 5 clock hours of school shall be subject to the following provisions in the compilation of Average Daily Attendance.

(a) Pupils regularly enrolled in a public school for only a part of the school day may be counted on the basis of 1/6 day for every class hour of instruction of 40 minutes or more attended pursuant to such enrollment, unless a pupil is enrolled in a block-schedule format of 80 minutes or more of instruction, in which case the pupil may be counted on the basis of the proportion of minutes of school work completed each day to the minimum number of minutes that school work is required to be held that day.

(b) Days of attendance may be less than 5 clock hours on the opening and closing of the school term, and upon the first day of pupil attendance, if preceded by a day or days utilized as an institute or teachers' workshop.

(c) A session of 4 or more clock hours may be counted as a day of attendance upon certification by the regional superintendent, and approved by the State Superintendent of Education to the extent that the district has been forced to use daily multiple sessions.

(d) A session of 3 or more clock hours may be counted as a day of attendance (1) when the remainder of the school day or at least 2 hours in the evening of that day is utilized for an in-service training program for teachers, up to a maximum of 5 days per school year of which a maximum of 4 days of such 5 days may be used for parent-teacher conferences, provided a district conducts an in-service training program for teachers which has been approved by the State Superintendent of Education; or, in lieu of 4 such days, 2 full days may be used, in which event each such day may be counted as a day of attendance; and (2) when days in addition to those provided in item (1) are scheduled by a school pursuant to its school improvement plan adopted under Article 34 or its revised or amended school improvement plan adopted under Article 2, provided that (i) such sessions of 3 or more clock hours are scheduled to occur at regular intervals, (ii) the remainder of the school days in which such sessions occur are utilized for in-service training programs or other staff development activities for teachers, and (iii) a sufficient number of minutes of school work under the direct supervision of teachers are added to the school days between such regularly scheduled sessions to accumulate not less than the number of minutes by which such sessions of 3 or more clock hours fall short of 5 clock hours. Any full days used for the purposes of this paragraph shall not be considered for computing average daily attendance. Days scheduled for in-service training programs, staff development activities, or parent-teacher conferences may be scheduled separately for different grade levels and different attendance centers of the district.

(e) A session of not less than one clock hour of teaching hospitalized or homebound pupils on-site or by telephone to the classroom may be counted as 1/2 day of attendance, however these pupils must receive 4 or more clock hours of instruction to be counted for a full day of attendance.

(f) A session of at least 4 clock hours may be counted as a day of attendance for first grade pupils, and pupils in full day kindergartens, and a session of 2 or more hours may be counted as 1/2 day of attendance by pupils in kindergartens which provide only 1/2 day of attendance.

(g) For children with disabilities who are below the age of 6 years and who cannot attend 2 or more clock hours because of their disability or immaturity, a session of not less than one clock hour may be counted as 1/2 day of attendance; however for such children whose educational needs so require a session of 4 or more clock hours may be counted as a full day of attendance.

(h) A recognized kindergarten which provides for only 1/2 day of attendance by each pupil shall not have more than 1/2 day of attendance counted in any one day. However, kindergartens may count 2 1/2 days of attendance in any 5 consecutive school days. When a pupil attends such a kindergarten for 2 half days on any one school day, the pupil shall have the following day as a day absent from school, unless the school district obtains permission in writing from the State Superintendent of Education. Attendance at kindergartens which provide for a full day of attendance by each pupil shall be counted the same as attendance by first grade pupils. Only the first year of attendance in one kindergarten shall be counted, except in case of children who entered the kindergarten in their fifth year whose educational development requires a second year of kindergarten as determined under the rules and regulations of the State Board of Education.

(G) Equalized Assessed Valuation Data.

(1) For purposes of the calculation of Available Local Resources required pursuant to subsection (D), the State Board of Education shall secure from the Department of Revenue the value as equalized or assessed by the Department of Revenue of all taxable property of every school district, together with (i) the applicable tax rate used in extending taxes for the funds of the district as of September 30 of the previous year and (ii) the limiting rate for all school districts subject to property tax extension limitations as imposed under the Property Tax Extension Limitation Law.

This equalized assessed valuation, as adjusted further by the requirements of this subsection, shall be utilized in the calculation of Available Local Resources.

(2) The equalized assessed valuation in paragraph (1) shall be adjusted, as applicable, in the following manner:

(a) For the purposes of calculating State aid under this Section, with respect to any part of a school district within a redevelopment project area in respect to which a municipality has adopted tax increment allocation financing pursuant to the Tax Increment Allocation Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11 of the Illinois Municipal Code or the Industrial Jobs Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the Illinois Municipal Code, no part of the current equalized assessed valuation of real property located in any such project area which is attributable to an increase above the total initial equalized assessed valuation of such property shall be used as part of the equalized assessed valuation of the district, until such time as all redevelopment project costs have been paid, as provided in Section 11-74.4-8 of the Tax Increment Allocation Redevelopment Act or in Section 11-74.6-35 of the Industrial Jobs Recovery Law. For the purpose of the equalized assessed valuation of the district, the total initial equalized assessed valuation or the current equalized assessed valuation, whichever is lower, shall be used until such time as all redevelopment project costs have been paid.

(b) The real property equalized assessed valuation for a school district shall be adjusted by subtracting from the real property value as equalized or assessed by the Department of Revenue for the district an amount computed by dividing the amount of any abatement of taxes under Section 18-170 of the Property Tax Code by 3.00% for a district maintaining grades kindergarten through 12, by 2.30% for a district maintaining grades kindergarten through 8, or by 1.05% for a district maintaining grades 9 through 12 and adjusted by an amount computed by dividing the amount of any abatement of taxes under subsection (a) of Section 18-165 of the Property Tax Code by the same percentage rates for district type as specified in this subparagraph (b).

(3) For the 1999-2000 school year and each school year thereafter, if a school district meets all of the criteria of this subsection (G)(3), the school district's Available Local Resources shall be calculated under subsection (D) using the district's Extension Limitation Equalized Assessed Valuation as calculated under this subsection (G)(3).

For purposes of this subsection (G)(3) the following terms shall have the following meanings:

"Budget Year": The school year for which general State aid is calculated and awarded under subsection (E).

"Base Tax Year": The property tax levy year used to calculate the Budget Year allocation of general State aid.

"Preceding Tax Year": The property tax levy year immediately preceding the Base Tax

Year.

"Base Tax Year's Tax Extension": The product of the equalized assessed valuation utilized by the County Clerk in the Base Tax Year multiplied by the limiting rate as calculated by the County Clerk and defined in the Property Tax Extension Limitation Law.

"Preceding Tax Year's Tax Extension": The product of the equalized assessed valuation utilized by the County Clerk in the Preceding Tax Year multiplied by the Operating Tax Rate as defined in subsection (A).

"Extension Limitation Ratio": A numerical ratio, certified by the County Clerk, in which the numerator is the Base Tax Year's Tax Extension and the denominator is the Preceding Tax Year's Tax Extension.

"Operating Tax Rate": The operating tax rate as defined in subsection (A).

If a school district is subject to property tax extension limitations as imposed under the Property Tax Extension Limitation Law, the State Board of Education shall calculate the Extension Limitation Equalized Assessed Valuation of that district. For the 1999-2000 school year, the Extension Limitation Equalized Assessed Valuation of a school district as calculated by the State Board of Education shall be equal to the product of the district's 1996 Equalized Assessed Valuation and the district's Extension Limitation Ratio. For the 2000-2001 school year and each school year thereafter, the Extension Limitation Equalized Assessed Valuation of a school district as calculated by the State Board of Education shall be equal to the product of the Equalized Assessed Valuation last used in the calculation of general State aid and the district's Extension Limitation Ratio. If the Extension Limitation Equalized Assessed Valuation of a school district as calculated under this subsection (G)(3) is less than the district's equalized assessed valuation as calculated pursuant to subsections (G)(1) and (G)(2), then for purposes of calculating the district's general State aid for the Budget Year pursuant to subsection (E), that Extension Limitation Equalized Assessed Valuation shall be utilized to calculate the district's Available Local Resources under subsection (D).

(4) For the purposes of calculating general State aid for the 1999-2000 school year only, if a school district experienced a triennial reassessment on the equalized assessed valuation used in calculating its general State financial aid apportionment for the 1998-1999 school year, the State Board of Education shall calculate the Extension Limitation Equalized Assessed Valuation that would have been used to calculate the district's 1998-1999 general State aid. This amount shall equal the product of the equalized assessed valuation used to calculate general State aid for the 1997-1998 school year and the district's Extension Limitation Ratio. If the Extension Limitation Equalized Assessed Valuation of the school district as calculated under this paragraph (4) is less than the district's equalized assessed valuation utilized in calculating the district's 1998-1999 general State aid allocation, then for purposes of calculating the district's general State aid pursuant to paragraph (5) of subsection (E), that Extension Limitation Equalized Assessed Valuation shall be utilized to calculate the district's Available Local Resources.

(5) For school districts having a majority of their equalized assessed valuation in any county except Cook, DuPage, Kane, Lake, McHenry, or Will, if the amount of general State aid allocated to the school district for the 1999-2000 school year under the provisions of subsection (E), (H), and (J) of this Section is less than the amount of general State aid allocated to the district for the 1998-1999 school year under these subsections, then the general State aid of the district for the 1999-2000 school year only shall be increased by the difference between these amounts. The total payments made under this paragraph (5) shall not exceed \$14,000,000. Claims shall be prorated if they exceed \$14,000,000.

(H) Supplemental General State Aid.

(1) In addition to the general State aid a school district is allotted pursuant to subsection (E), qualifying school districts shall receive a grant, paid in conjunction with a district's payments of general State aid, for supplemental general State aid based upon the concentration level of children from low-income households within the school district. Supplemental State aid grants provided for school districts under this subsection shall be appropriated for distribution to school districts as part of the same line item in which the general State financial aid of school districts is appropriated under this Section. If the appropriation in any fiscal year for general State aid and supplemental general State aid is insufficient to pay the amounts required under the general State aid and supplemental general State aid calculations, then the State Board of Education shall ensure that each school district receives the full amount due for general State aid and the remainder of the appropriation shall be used for supplemental general State aid, which the State Board of Education shall calculate and pay to eligible districts on a prorated basis.

(1.5) This paragraph (1.5) applies only to those school years preceding the 2003-2004 school year.

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For purposes of this subsection (H), the term "Low-Income Concentration Level" shall be the low-income eligible pupil count from the most recently available federal census divided by the Average Daily Attendance of the school district. If, however, (i) the percentage decrease from the 2 most recent federal censuses in the low-income eligible pupil count of a high school district with fewer than 400 students exceeds by 75% or more the percentage change in the total low-income eligible pupil count of contiguous elementary school districts, whose boundaries are coterminous with the high school district, or (ii) a high school district within 2 counties and serving 5 elementary school districts, whose boundaries are coterminous with the high school district, has a percentage decrease from the 2 most recent federal censuses in the low-income eligible pupil count and there is a percentage increase in the total low-income eligible pupil count of a majority of the elementary school districts in excess of 50% from the 2 most recent federal censuses, then the high school district's low-income eligible pupil count from the earlier federal census shall be the number used as the low-income eligible pupil count for the high school district, for purposes of this subsection (H). The changes made to this paragraph (1) by Public Act 92-28 shall apply to supplemental general State aid grants for school years preceding the 2003-2004 school year that are paid in fiscal year 1999 or thereafter and to any State aid payments made in fiscal year 1994 through fiscal year 1998 pursuant to subsection 1(n) of Section 18-8 of this Code (which was repealed on July 1, 1998), and any high school district that is affected by Public Act 92-28 is entitled to a recomputation of its supplemental general State aid grant or State aid paid in any of those fiscal years. This recomputation shall not be affected by any other funding.

(1.10) This paragraph (1.10) applies to the 2003-2004 school year and each school year thereafter. For purposes of this subsection (H), the term "Low-Income Concentration Level" shall, for each fiscal year, be the low-income eligible pupil count as of July 1 of the immediately preceding fiscal year (as determined by the Department of Human Services based on the number of pupils who are eligible for at least one of the following low income programs: Medicaid, KidCare, TANF, or Food Stamps, excluding pupils who are eligible for services provided by the Department of Children and Family Services, averaged over the 2 immediately preceding fiscal years for fiscal year 2004 and over the 3 immediately preceding fiscal years for each fiscal year thereafter) divided by the Average Daily Attendance of the school district.

(2) Supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 1998-1999, 1999-2000, and 2000-2001 school years only:

(a) For any school district with a Low Income Concentration Level of at least 20% and less than 35%, the grant for any school year shall be \$800 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level of at least 35% and less than 50%, the grant for the 1998-1999 school year shall be \$1,100 multiplied by the low income eligible pupil count.

(c) For any school district with a Low Income Concentration Level of at least 50% and less than 60%, the grant for the 1998-99 school year shall be \$1,500 multiplied by the low income eligible pupil count.

(d) For any school district with a Low Income Concentration Level of 60% or more, the grant for the 1998-99 school year shall be \$1,900 multiplied by the low income eligible pupil count.

(e) For the 1999-2000 school year, the per pupil amount specified in subparagraphs (b), (c), and (d) immediately above shall be increased to \$1,243, \$1,600, and \$2,000, respectively.

(f) For the 2000-2001 school year, the per pupil amounts specified in subparagraphs (b), (c), and (d) immediately above shall be \$1,273, \$1,640, and \$2,050, respectively.

(2.5) Supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 2002-2003 school year:

(a) For any school district with a Low Income Concentration Level of less than 10%, the grant for each school year shall be \$355 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level of at least 10% and less than 20%, the grant for each school year shall be \$675 multiplied by the low income eligible pupil count.

(c) For any school district with a Low Income Concentration Level of at least 20% and less than 35%, the grant for each school year shall be \$1,330 multiplied by the low income eligible pupil count.

(d) For any school district with a Low Income Concentration Level of at least 35% and less than 50%, the grant for each school year shall be \$1,362 multiplied by the low income eligible pupil count.

(e) For any school district with a Low Income Concentration Level of at least 50% and less than 60%, the grant for each school year shall be \$1,680 multiplied by the low income eligible pupil count.

(f) For any school district with a Low Income Concentration Level of 60% or more, the grant for each school year shall be \$2,080 multiplied by the low income eligible pupil count.

(2.10) Except as otherwise provided, supplemental general State aid pursuant to this subsection (H) shall be provided as follows for the 2003-2004 school year and each school year thereafter:

(a) For any school district with a Low Income Concentration Level of 15% or less, the grant for each school year shall be \$355 multiplied by the low income eligible pupil count.

(b) For any school district with a Low Income Concentration Level greater than 15%, the grant for each school year shall be \$294.25 added to the product of \$2,700 and the square of the Low Income Concentration Level, all multiplied by the low income eligible pupil count.

For the 2003-2004 school year and 2004-2005 school year only, the grant shall be no less than the grant for the 2002-2003 school year. For the ~~2005-2006~~ ~~2004-2005~~ school year only, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.66. For the ~~2006-2007~~ ~~2005-2006~~ school year only, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.33.

For the 2003-2004 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.25 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year. For the 2004-2005 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.50 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year. For the 2005-2006 school year only, the grant shall be no greater than the grant received during the 2002-2003 school year added to the product of 0.75 multiplied by the difference between the grant amount calculated under subsection (a) or (b) of this paragraph (2.10), whichever is applicable, and the grant received during the 2002-2003 school year.

(3) School districts with an Average Daily Attendance of more than 1,000 and less than 50,000 that qualify for supplemental general State aid pursuant to this subsection shall submit a plan to the State Board of Education prior to October 30 of each year for the use of the funds resulting from this grant of supplemental general State aid for the improvement of instruction in which priority is given to meeting the education needs of disadvantaged children. Such plan shall be submitted in accordance with rules and regulations promulgated by the State Board of Education.

(4) School districts with an Average Daily Attendance of 50,000 or more that qualify for supplemental general State aid pursuant to this subsection shall be required to distribute from funds available pursuant to this Section, no less than \$261,000,000 in accordance with the following requirements:

(a) The required amounts shall be distributed to the attendance centers within the district in proportion to the number of pupils enrolled at each attendance center who are eligible to receive free or reduced-price lunches or breakfasts under the federal Child Nutrition Act of 1966 and under the National School Lunch Act during the immediately preceding school year.

(b) The distribution of these portions of supplemental and general State aid among attendance centers according to these requirements shall not be compensated for or contravened by adjustments of the total of other funds appropriated to any attendance centers, and the Board of Education shall utilize funding from one or several sources in order to fully implement this provision annually prior to the opening of school.

(c) Each attendance center shall be provided by the school district a distribution of noncategorical funds and other categorical funds to which an attendance center is entitled under law in order that the general State aid and supplemental general State aid provided by application of this subsection supplements rather than supplants the noncategorical funds and other categorical funds provided by the school district to the attendance centers.

(d) Any funds made available under this subsection that by reason of the provisions of this subsection are not required to be allocated and provided to attendance centers may be used and appropriated by the board of the district for any lawful school purpose.

(e) Funds received by an attendance center pursuant to this subsection shall be used by the attendance center at the discretion of the principal and local school council for programs to improve educational opportunities at qualifying schools through the following programs and services: early childhood education, reduced class size or improved adult to student classroom ratio,

enrichment programs, remedial assistance, attendance improvement, and other educationally beneficial expenditures which supplement the regular and basic programs as determined by the State Board of Education. Funds provided shall not be expended for any political or lobbying purposes as defined by board rule.

(f) Each district subject to the provisions of this subdivision (H)(4) shall submit an acceptable plan to meet the educational needs of disadvantaged children, in compliance with the requirements of this paragraph, to the State Board of Education prior to July 15 of each year. This plan shall be consistent with the decisions of local school councils concerning the school expenditure plans developed in accordance with part 4 of Section 34-2.3. The State Board shall approve or reject the plan within 60 days after its submission. If the plan is rejected, the district shall give written notice of intent to modify the plan within 15 days of the notification of rejection and then submit a modified plan within 30 days after the date of the written notice of intent to modify. Districts may amend approved plans pursuant to rules promulgated by the State Board of Education.

Upon notification by the State Board of Education that the district has not submitted a plan prior to July 15 or a modified plan within the time period specified herein, the State aid funds affected by that plan or modified plan shall be withheld by the State Board of Education until a plan or modified plan is submitted.

If the district fails to distribute State aid to attendance centers in accordance with an approved plan, the plan for the following year shall allocate funds, in addition to the funds otherwise required by this subsection, to those attendance centers which were underfunded during the previous year in amounts equal to such underfunding.

For purposes of determining compliance with this subsection in relation to the requirements of attendance center funding, each district subject to the provisions of this subsection shall submit as a separate document by December 1 of each year a report of expenditure data for the prior year in addition to any modification of its current plan. If it is determined that there has been a failure to comply with the expenditure provisions of this subsection regarding contravention or supplanting, the State Superintendent of Education shall, within 60 days of receipt of the report, notify the district and any affected local school council. The district shall within 45 days of receipt of that notification inform the State Superintendent of Education of the remedial or corrective action to be taken, whether by amendment of the current plan, if feasible, or by adjustment in the plan for the following year. Failure to provide the expenditure report or the notification of remedial or corrective action in a timely manner shall result in a withholding of the affected funds.

The State Board of Education shall promulgate rules and regulations to implement the provisions of this subsection. No funds shall be released under this subdivision (H)(4) to any district that has not submitted a plan that has been approved by the State Board of Education.

(I) General State Aid for Newly Configured School Districts.

(1) For a new school district formed by combining property included totally within 2 or more previously existing school districts, for its first year of existence the general State aid and supplemental general State aid calculated under this Section shall be computed for the new district and for the previously existing districts for which property is totally included within the new district. If the computation on the basis of the previously existing districts is greater, a supplementary payment equal to the difference shall be made for the first 4 years of existence of the new district.

(2) For a school district which annexes all of the territory of one or more entire other school districts, for the first year during which the change of boundaries attributable to such annexation becomes effective for all purposes as determined under Section 7-9 or 7A-8, the general State aid and supplemental general State aid calculated under this Section shall be computed for the annexing district as constituted after the annexation and for the annexing and each annexed district as constituted prior to the annexation; and if the computation on the basis of the annexing and annexed districts as constituted prior to the annexation is greater, a supplementary payment equal to the difference shall be made for the first 4 years of existence of the annexing school district as constituted upon such annexation.

(3) For 2 or more school districts which annex all of the territory of one or more entire other school districts, and for 2 or more community unit districts which result upon the division (pursuant to petition under Section 11A-2) of one or more other unit school districts into 2 or more parts and which together include all of the parts into which such other unit school district or districts are so divided, for the first year during which the change of boundaries attributable to such annexation or division

becomes effective for all purposes as determined under Section 7-9 or 11A-10, as the case may be, the general State aid and supplemental general State aid calculated under this Section shall be computed for each annexing or resulting district as constituted after the annexation or division and for each annexing and annexed district, or for each resulting and divided district, as constituted prior to the annexation or division; and if the aggregate of the general State aid and supplemental general State aid as so computed for the annexing or resulting districts as constituted after the annexation or division is less than the aggregate of the general State aid and supplemental general State aid as so computed for the annexing and annexed districts, or for the resulting and divided districts, as constituted prior to the annexation or division, then a supplementary payment equal to the difference shall be made and allocated between or among the annexing or resulting districts, as constituted upon such annexation or division, for the first 4 years of their existence. The total difference payment shall be allocated between or among the annexing or resulting districts in the same ratio as the pupil enrollment from that portion of the annexed or divided district or districts which is annexed to or included in each such annexing or resulting district bears to the total pupil enrollment from the entire annexed or divided district or districts, as such pupil enrollment is determined for the school year last ending prior to the date when the change of boundaries attributable to the annexation or division becomes effective for all purposes. The amount of the total difference payment and the amount thereof to be allocated to the annexing or resulting districts shall be computed by the State Board of Education on the basis of pupil enrollment and other data which shall be certified to the State Board of Education, on forms which it shall provide for that purpose, by the regional superintendent of schools for each educational service region in which the annexing and annexed districts, or resulting and divided districts are located.

(3.5) Claims for financial assistance under this subsection (I) shall not be recomputed except as expressly provided under this Section.

(4) Any supplementary payment made under this subsection (I) shall be treated as separate from all other payments made pursuant to this Section.

(J) Supplementary Grants in Aid.

(1) Notwithstanding any other provisions of this Section, the amount of the aggregate general State aid in combination with supplemental general State aid under this Section for which each school district is eligible shall be no less than the amount of the aggregate general State aid entitlement that was received by the district under Section 18-8 (exclusive of amounts received under subsections 5(p) and 5(p-5) of that Section) for the 1997-98 school year, pursuant to the provisions of that Section as it was then in effect. If a school district qualifies to receive a supplementary payment made under this subsection (J), the amount of the aggregate general State aid in combination with supplemental general State aid under this Section which that district is eligible to receive for each school year shall be no less than the amount of the aggregate general State aid entitlement that was received by the district under Section 18-8 (exclusive of amounts received under subsections 5(p) and 5(p-5) of that Section) for the 1997-1998 school year, pursuant to the provisions of that Section as it was then in effect.

(2) If, as provided in paragraph (1) of this subsection (J), a school district is to receive aggregate general State aid in combination with supplemental general State aid under this Section for the 1998-99 school year and any subsequent school year that in any such school year is less than the amount of the aggregate general State aid entitlement that the district received for the 1997-98 school year, the school district shall also receive, from a separate appropriation made for purposes of this subsection (J), a supplementary payment that is equal to the amount of the difference in the aggregate State aid figures as described in paragraph (1).

(3) (Blank).

(K) Grants to Laboratory and Alternative Schools.

In calculating the amount to be paid to the governing board of a public university that operates a laboratory school under this Section or to any alternative school that is operated by a regional superintendent of schools, the State Board of Education shall require by rule such reporting requirements as it deems necessary.

As used in this Section, "laboratory school" means a public school which is created and operated by a public university and approved by the State Board of Education. The governing board of a public university which receives funds from the State Board under this subsection (K) may not increase the number of students enrolled in its laboratory school from a single district, if that district is already sending 50 or more students, except under a mutual agreement between the school board of a student's district of residence and the university which operates the laboratory school. A laboratory school may

not have more than 1,000 students, excluding students with disabilities in a special education program.

As used in this Section, "alternative school" means a public school which is created and operated by a Regional Superintendent of Schools and approved by the State Board of Education. Such alternative schools may offer courses of instruction for which credit is given in regular school programs, courses to prepare students for the high school equivalency testing program or vocational and occupational training. A regional superintendent of schools may contract with a school district or a public community college district to operate an alternative school. An alternative school serving more than one educational service region may be established by the regional superintendents of schools of the affected educational service regions. An alternative school serving more than one educational service region may be operated under such terms as the regional superintendents of schools of those educational service regions may agree.

Each laboratory and alternative school shall file, on forms provided by the State Superintendent of Education, an annual State aid claim which states the Average Daily Attendance of the school's students by month. The best 3 months' Average Daily Attendance shall be computed for each school. The general State aid entitlement shall be computed by multiplying the applicable Average Daily Attendance by the Foundation Level as determined under this Section.

(L) Payments, Additional Grants in Aid and Other Requirements.

(1) For a school district operating under the financial supervision of an Authority created under Article 34A, the general State aid otherwise payable to that district under this Section, but not the supplemental general State aid, shall be reduced by an amount equal to the budget for the operations of the Authority as certified by the Authority to the State Board of Education, and an amount equal to such reduction shall be paid to the Authority created for such district for its operating expenses in the manner provided in Section 18-11. The remainder of general State school aid for any such district shall be paid in accordance with Article 34A when that Article provides for a disposition other than that provided by this Article.

(2) (Blank).

(3) Summer school. Summer school payments shall be made as provided in Section 18-4.3.

(M) Education Funding Advisory Board.

The Education Funding Advisory Board, hereinafter in this subsection (M) referred to as the "Board", is hereby created. The Board shall consist of 5 members who are appointed by the Governor, by and with the advice and consent of the Senate. The members appointed shall include representatives of education, business, and the general public. One of the members so appointed shall be designated by the Governor at the time the appointment is made as the chairperson of the Board. The initial members of the Board may be appointed any time after the effective date of this amendatory Act of 1997. The regular term of each member of the Board shall be for 4 years from the third Monday of January of the year in which the term of the member's appointment is to commence, except that of the 5 initial members appointed to serve on the Board, the member who is appointed as the chairperson shall serve for a term that commences on the date of his or her appointment and expires on the third Monday of January, 2002, and the remaining 4 members, by lots drawn at the first meeting of the Board that is held after all 5 members are appointed, shall determine 2 of their number to serve for terms that commence on the date of their respective appointments and expire on the third Monday of January, 2001, and 2 of their number to serve for terms that commence on the date of their respective appointments and expire on the third Monday of January, 2000. All members appointed to serve on the Board shall serve until their respective successors are appointed and confirmed. Vacancies shall be filled in the same manner as original appointments. If a vacancy in membership occurs at a time when the Senate is not in session, the Governor shall make a temporary appointment until the next meeting of the Senate, when he or she shall appoint, by and with the advice and consent of the Senate, a person to fill that membership for the unexpired term. If the Senate is not in session when the initial appointments are made, those appointments shall be made as in the case of vacancies.

The Education Funding Advisory Board shall be deemed established, and the initial members appointed by the Governor to serve as members of the Board shall take office, on the date that the Governor makes his or her appointment of the fifth initial member of the Board, whether those initial members are then serving pursuant to appointment and confirmation or pursuant to temporary appointments that are made by the Governor as in the case of vacancies.

The State Board of Education shall provide such staff assistance to the Education Funding Advisory Board as is reasonably required for the proper performance by the Board of its responsibilities.

For school years after the 2000-2001 school year, the Education Funding Advisory Board, in

consultation with the State Board of Education, shall make recommendations as provided in this subsection (M) to the General Assembly for the foundation level under subdivision (B)(3) of this Section and for the supplemental general State aid grant level under subsection (H) of this Section for districts with high concentrations of children from poverty. The recommended foundation level shall be determined based on a methodology which incorporates the basic education expenditures of low-spending schools exhibiting high academic performance. The Education Funding Advisory Board shall make such recommendations to the General Assembly on January 1 of odd numbered years, beginning January 1, 2001.

(N) (Blank).

(O) References.

(1) References in other laws to the various subdivisions of Section 18-8 as that Section existed before its repeal and replacement by this Section 18-8.05 shall be deemed to refer to the corresponding provisions of this Section 18-8.05, to the extent that those references remain applicable.

(2) References in other laws to State Chapter 1 funds shall be deemed to refer to the supplemental general State aid provided under subsection (H) of this Section.

(P) This amendatory Act of the 93rd General Assembly and House Bill 4266 of the 93rd General Assembly make inconsistent changes to this Section. If House Bill 4266 becomes law, then under Section 6 of the Statute on Statutes there is an irreconcilable conflict between House Bill 4266 and this amendatory Act. This amendatory Act, being the last acted upon, is controlling. The text of this amendatory Act is the law regardless of the text of House Bill 4266.

(Source: P.A. 92-16, eff. 6-28-01; 92-28, eff. 7-1-01; 92-29, eff. 7-1-01; 92-269, eff. 8-7-01; 92-604, eff. 7-1-02; 92-636, eff. 7-11-02; 92-651, eff. 7-11-02; 93-21, eff. 7-1-03.)

Section 20. The Higher Education Student Assistance Act is amended by changing Section 45 as follows:

(110 ILCS 947/45)

Sec. 45. Illinois National Guard grant program.

(a) As used in this Section:

"State controlled university or community college" means those institutions under the administration of the Chicago State University Board of Trustees, the Eastern Illinois University Board of Trustees, the Governors State University Board of Trustees, the Illinois State University Board of Trustees, the Northeastern Illinois University Board of Trustees, the Northern Illinois University Board of Trustees, the Western Illinois University Board of Trustees, Southern Illinois University Board of Trustees, University of Illinois Board of Trustees, or the Illinois Community College Board.

"Tuition and fees" shall not include expenses for any sectarian or denominational instruction, the construction or maintenance of sectarian or denominational facilities, or any other sectarian or denominational purposes or activity.

"Fees" means matriculation, graduation, activity, term, or incidental fees. Exemption shall not be granted from any other fees, including book rental, service, laboratory, supply, and union building fees, hospital and medical insurance fees, and any fees established for the operation and maintenance of buildings, the income of which is pledged to the payment of interest and principal on bonds issued by the governing board of any university or community college.

(b) Any enlisted person or any company grade officer, including warrant officers, First and Second Lieutenants, and Captains in the Army and Air National Guard, who has served at least one year in the Illinois National Guard and who possesses all necessary entrance requirements shall, upon application and proper proof, be awarded a grant to the State-controlled university or community college of his or her choice, consisting of exemption from tuition and fees for not more than the equivalent of 4 years of full-time enrollment in relation to his or her course of study at that State controlled university or community college while he or she is a member of the Illinois National Guard. If the recipient of any grant awarded under this Section ceases to be a member of the Illinois National Guard while enrolled in a course of study under that grant, the grant shall be terminated as of the date membership in the Illinois National Guard ended, and the recipient shall be permitted to complete the school term in which he or she is then enrolled only upon payment of tuition and other fees allocable to the part of the term then remaining. If the recipient of the grant fails to complete his or her military service obligations or requirements for satisfactory participation, the Department of Military Affairs shall

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require the recipient to repay the amount of the grant received, prorated according to the fraction of the service obligation not completed, and, if applicable, reasonable collection fees. The Department of Military Affairs may adopt rules relating to its collection activities for repayment of the grant under this Section. Unsatisfactory participation shall be defined by rules adopted by the Department of Military Affairs. Repayments shall be deposited in the National Guard Grant Fund. The National Guard Grant Fund is created as a special fund in the State treasury. All money in the National Guard Grant Fund shall be used, subject to appropriation, by the Illinois Student Assistance Commission ~~Department of Military Affairs~~ for the purposes of this Section.

A grant awarded under this Section shall be considered an entitlement which the State-controlled university or community college in which the holder is enrolled shall honor without any condition other than the holder's maintenance of minimum grade levels and a satisfactory student loan repayment record pursuant to subsection (c) of Section 20 of this Act.

(c) Subject to a separate appropriation for such purposes, the Commission may reimburse the State-controlled university or community college for grants authorized by this Section.

(Source: P.A. 92-589, eff. 7-1-02.)

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

Under the rules, the foregoing **Senate Bill No. 2205**, with House Amendments numbered 1, 2 and 3, was referred to the Secretary's Desk.

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2206

A bill for AN ACT in relation to budget implementation.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 2206

House Amendment No. 2 to SENATE BILL NO. 2206

Passed the House, as amended, July 24, 2004, by a three-fifths vote.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 2206 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Income Tax Act is amended by changing Section 203 as follows:

(35 ILCS 5/203) (from Ch. 120, par. 2-203)

Sec. 203. Base income defined.

(a) Individuals.

(1) In general. In the case of an individual, base income means an amount equal to the taxpayer's adjusted gross income for the taxable year as modified by paragraph (2).

(2) Modifications. The adjusted gross income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the computation of adjusted gross income, except stock dividends of qualified public utilities described in Section 305(e) of the Internal Revenue Code;

(B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of adjusted gross income for the taxable year;

(C) An amount equal to the amount received during the taxable year as a recovery or refund of real property taxes paid with respect to the taxpayer's principal residence under the Revenue Act of 1939 and for which a deduction was previously taken under subparagraph (L) of this paragraph (2) prior to July 1, 1991, the retrospective application date of Article 4 of Public Act 87-17. In the case of multi-unit or multi-use structures and farm dwellings, the taxes on the taxpayer's principal residence shall be that portion of the total taxes for the entire property which

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is attributable to such principal residence;

(D) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of adjusted gross income;

(D-5) An amount, to the extent not included in adjusted gross income, equal to the amount of money withdrawn by the taxpayer in the taxable year from a medical care savings account and the interest earned on the account in the taxable year of a withdrawal pursuant to subsection (b) of Section 20 of the Medical Care Savings Account Act or subsection (b) of Section 20 of the Medical Care Savings Account Act of 2000;

(D-10) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the individual deducted in computing adjusted gross income and for which the individual claims a credit under subsection (l) of Section 201;

(D-15) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code; ~~and~~

(D-16) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-15), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (Z) with respect to that property; ;

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property; - and

~~(D-20) (D-15)~~ For taxable years beginning on or after January 1, 2002, in the case of a distribution from a qualified tuition program under Section 529 of the Internal Revenue Code, other than (i) a distribution from a College Savings Pool created under Section 16.5 of the State Treasurer Act or (ii) a distribution from the Illinois Prepaid Tuition Trust Fund, an amount equal to the amount excluded from gross income under Section 529(c)(3)(B);

and by deducting from the total so obtained the sum of the following amounts:

(E) For taxable years ending before December 31, 2001, any amount included in such total in respect of any compensation (including but not limited to any compensation paid or accrued to a serviceman while a prisoner of war or missing in action) paid to a resident by reason of being on active duty in the Armed Forces of the United States and in respect of any compensation paid or accrued to a resident who as a governmental employee was a prisoner of war or missing in action, and in respect of any compensation paid to a resident in 1971 or thereafter for annual training performed pursuant to Sections 502 and 503, Title 32, United States Code as a member of the Illinois National Guard. For taxable years ending on or after December 31, 2001, any amount included in such total in respect of any compensation (including but not limited to any compensation paid or accrued to a serviceman while a prisoner of war or missing in action) paid to a resident by reason of being a member of any component of the Armed Forces of the United States and in respect of any compensation paid or accrued to a resident who as a governmental employee was a prisoner of war or missing in action, and in respect of any compensation paid to a resident in 2001 or thereafter by reason of being a member of the Illinois National Guard. The provisions of this amendatory Act of the 92nd General Assembly are exempt from the provisions of Section 250;

(F) An amount equal to all amounts included in such total pursuant to the provisions of Sections 402(a), 402(c), 403(a), 403(b), 406(a), 407(a), and 408 of the Internal Revenue Code, or included in such total as distributions under the provisions of any retirement or disability plan for employees of any governmental agency or unit, or retirement payments to retired partners, which payments are excluded in computing net earnings from self employment by Section 1402 of the Internal Revenue Code and regulations adopted pursuant thereto;

(G) The valuation limitation amount;

(H) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(I) An amount equal to all amounts included in such total pursuant to the provisions of Section 111 of the Internal Revenue Code as a recovery of items previously deducted from adjusted gross income in the computation of taxable income;

(J) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the

Illinois Enterprise Zone Act, and conducts substantially all of its operations in an Enterprise Zone or zones;

(K) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (J) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (K);

(L) For taxable years ending after December 31, 1983, an amount equal to all social security benefits and railroad retirement benefits included in such total pursuant to Sections 72(r) and 86 of the Internal Revenue Code;

(M) With the exception of any amounts subtracted under subparagraph (N), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a)(2), and 265(2) of the Internal Revenue Code of 1954, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code of 1954, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(N) An amount equal to all amounts included in such total which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State or of the United States, any treaty of the United States, the Illinois Constitution, or the United States Constitution that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the income interest net of bond premium amortization, interest expense incurred on indebtedness to carry the bond or other obligation, expenses incurred in producing the income to be deducted, and all other related expenses. The amount of expenses to be taken into account under this provision may not exceed the amount of income that is exempted;

(O) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(P) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(Q) An amount equal to any amounts included in such total, received by the taxpayer as an acceleration in the payment of life, endowment or annuity benefits in advance of the time they would otherwise be payable as an indemnity for a terminal illness;

(R) An amount equal to the amount of any federal or State bonus paid to veterans of the Persian Gulf War;

(S) An amount, to the extent included in adjusted gross income, equal to the amount of a contribution made in the taxable year on behalf of the taxpayer to a medical care savings account established under the Medical Care Savings Account Act or the Medical Care Savings Account Act of 2000 to the extent the contribution is accepted by the account administrator as provided in that Act;

(T) An amount, to the extent included in adjusted gross income, equal to the amount of interest earned in the taxable year on a medical care savings account established under the Medical Care Savings Account Act or the Medical Care Savings Account Act of 2000 on behalf of the taxpayer, other than interest added pursuant to item (D-5) of this paragraph (2);

(U) For one taxable year beginning on or after January 1, 1994, an amount equal to the total amount of tax imposed and paid under subsections (a) and (b) of Section 201 of this Act on grant amounts received by the taxpayer under the Nursing Home Grant Assistance Act during the taxpayer's taxable years 1992 and 1993;

(V) Beginning with tax years ending on or after December 31, 1995 and ending with tax years ending on or before December 31, 2004, an amount equal to the amount paid by a taxpayer who is a self-employed taxpayer, a partner of a partnership, or a shareholder in a Subchapter S corporation for health insurance or long-term care insurance for that taxpayer or that taxpayer's spouse or dependents, to the extent that the amount paid for that health insurance or long-term care insurance may be deducted under Section 213 of the Internal Revenue Code of 1986, has not been deducted on the federal income tax return of the taxpayer, and does not exceed the taxable income attributable to that taxpayer's income, self-employment income, or Subchapter S corporation income; except that no deduction shall be allowed under this item (V)

if the taxpayer is eligible to participate in any health insurance or long-term care insurance plan of an employer of the taxpayer or the taxpayer's spouse. The amount of the health insurance and long-term care insurance subtracted under this item (V) shall be determined by multiplying total health insurance and long-term care insurance premiums paid by the taxpayer times a number that represents the fractional percentage of eligible medical expenses under Section 213 of the Internal Revenue Code of 1986 not actually deducted on the taxpayer's federal income tax return;

(W) For taxable years beginning on or after January 1, 1998, all amounts included in the taxpayer's federal gross income in the taxable year from amounts converted from a regular IRA to a Roth IRA. This paragraph is exempt from the provisions of Section 250;

(X) For taxable year 1999 and thereafter, an amount equal to the amount of any (i) distributions, to the extent includible in gross income for federal income tax purposes, made to the taxpayer because of his or her status as a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim and (ii) items of income, to the extent includible in gross income for federal income tax purposes, attributable to, derived from or in any way related to assets stolen from, hidden from, or otherwise lost to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime immediately prior to, during, and immediately after World War II, including, but not limited to, interest on the proceeds receivable as insurance under policies issued to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime by European insurance companies immediately prior to and during World War II; provided, however, this subtraction from federal adjusted gross income does not apply to assets acquired with such assets or with the proceeds from the sale of such assets; provided, further, this paragraph shall only apply to a taxpayer who was the first recipient of such assets after their recovery and who is a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim. The amount of and the eligibility for any public assistance, benefit, or similar entitlement is not affected by the inclusion of items (i) and (ii) of this paragraph in gross income for federal income tax purposes. This paragraph is exempt from the provisions of Section 250;

(Y) For taxable years beginning on or after January 1, 2002, moneys contributed in the taxable year to a College Savings Pool account under Section 16.5 of the State Treasurer Act, except that amounts excluded from gross income under Section 529(c)(3)(C)(i) of the Internal Revenue Code shall not be considered moneys contributed under this subparagraph (Y). This subparagraph (Y) is exempt from the provisions of Section 250;

(Z) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code; ~~and~~

(AA) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-15), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property; and

~~(BB)~~ (Z) Any amount included in adjusted gross income, other than salary, received by a driver in a ridesharing arrangement using a motor vehicle.

(b) Corporations.

(1) In general. In the case of a corporation, base income means an amount equal to the

taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. The taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest and all distributions received from regulated investment companies during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of taxable income for the taxable year;

(C) In the case of a regulated investment company, an amount equal to the excess of (i) the net long-term capital gain for the taxable year, over (ii) the amount of the capital gain dividends designated as such in accordance with Section 852(b)(3)(C) of the Internal Revenue Code and any amount designated under Section 852(b)(3)(D) of the Internal Revenue Code, attributable to the taxable year (this amendatory Act of 1995 (Public Act 89-89) is declarative of existing law and is not a new enactment);

(D) The amount of any net operating loss deduction taken in arriving at taxable income, other than a net operating loss carried forward from a taxable year ending prior to December 31, 1986;

(E) For taxable years in which a net operating loss carryback or carryforward from a taxable year ending prior to December 31, 1986 is an element of taxable income under paragraph (1) of subsection (e) or subparagraph (E) of paragraph (2) of subsection (e), the amount by which addition modifications other than those provided by this subparagraph (E) exceeded subtraction modifications in such earlier taxable year, with the following limitations applied in the order that they are listed:

(i) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall be reduced by the amount of addition modification under this subparagraph (E) which related to that net operating loss and which was taken into account in calculating the base income of an earlier taxable year, and

(ii) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall not exceed the amount of such carryback or carryforward;

For taxable years in which there is a net operating loss carryback or carryforward from more than one other taxable year ending prior to December 31, 1986, the addition modification provided in this subparagraph (E) shall be the sum of the amounts computed independently under the preceding provisions of this subparagraph (E) for each such taxable year;

(E-5) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the corporation deducted in computing adjusted gross income and for which the corporation claims a credit under subsection (l) of Section 201;

(E-10) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code; and

(E-11) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (E-10), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (T) with respect to that property. ;

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property; and by deducting from the total so obtained the sum of the following amounts:

(F) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(G) An amount equal to any amount included in such total under Section 78 of the Internal Revenue Code;

(H) In the case of a regulated investment company, an amount equal to the amount of exempt interest dividends as defined in subsection (b) (5) of Section 852 of the Internal Revenue Code, paid to shareholders for the taxable year;

(I) With the exception of any amounts subtracted under subparagraph (J), an amount

equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a)(2), and 265(a)(2) and amounts disallowed as interest expense by Section 291(a)(3) of the Internal Revenue Code, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(a)(1) of the Internal Revenue Code, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, 291(a)(3), and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(J) An amount equal to all amounts included in such total which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State or of the United States, any treaty of the United States, the Illinois Constitution, or the United States Constitution that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the income interest net of bond premium amortization, interest expense incurred on indebtedness to carry the bond or other obligation, expenses incurred in producing the income to be deducted, and all other related expenses. The amount of expenses to be taken into account under this provision may not exceed the amount of income that is exempted;

(K) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act and conducts substantially all of its operations in an Enterprise Zone or zones;

(L) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (K) of paragraph 2 of this subsection shall not be eligible for the deduction provided under this subparagraph (L);

(M) For any taxpayer that is a financial organization within the meaning of Section 304(c) of this Act, an amount included in such total as interest income from a loan or loans made by such taxpayer to a borrower, to the extent that such a loan is secured by property which is eligible for the Enterprise Zone Investment Credit. To determine the portion of a loan or loans that is secured by property eligible for a Section 201(f) investment credit to the borrower, the entire principal amount of the loan or loans between the taxpayer and the borrower should be divided into the basis of the Section 201(f) investment credit property which secures the loan or loans, using for this purpose the original basis of such property on the date that it was placed in service in the Enterprise Zone. The subtraction modification available to taxpayer in any year under this subsection shall be that portion of the total interest paid by the borrower with respect to such loan attributable to the eligible property as calculated under the previous sentence;

(M-1) For any taxpayer that is a financial organization within the meaning of Section 304(c) of this Act, an amount included in such total as interest income from a loan or loans made by such taxpayer to a borrower, to the extent that such a loan is secured by property which is eligible for the High Impact Business Investment Credit. To determine the portion of a loan or loans that is secured by property eligible for a Section 201(h) investment credit to the borrower, the entire principal amount of the loan or loans between the taxpayer and the borrower should be divided into the basis of the Section 201(h) investment credit property which secures the loan or loans, using for this purpose the original basis of such property on the date that it was placed in service in a federally designated Foreign Trade Zone or Sub-Zone located in Illinois. No taxpayer that is eligible for the deduction provided in subparagraph (M) of paragraph (2) of this subsection shall be eligible for the deduction provided under this subparagraph (M-1). The subtraction modification available to taxpayers in any year under this subsection shall be that portion of the total interest paid by the borrower with respect to such loan attributable to the eligible property as calculated under the previous sentence;

(N) Two times any contribution made during the taxable year to a designated zone organization to the extent that the contribution (i) qualifies as a charitable contribution under subsection (c) of Section 170 of the Internal Revenue Code and (ii) must, by its terms, be used for a project approved by the Department of Commerce and Economic Opportunity Community Affairs under Section 11 of the Illinois Enterprise Zone Act;

(O) An amount equal to: (i) 85% for taxable years ending on or before December 31, 1992, or, a percentage equal to the percentage allowable under Section 243(a)(1) of the Internal Revenue Code of 1986 for taxable years ending after December 31, 1992, of the amount by

which dividends included in taxable income and received from a corporation that is not created or organized under the laws of the United States or any state or political subdivision thereof, including, for taxable years ending on or after December 31, 1988, dividends received or deemed received or paid or deemed paid under Sections 951 through 964 of the Internal Revenue Code, exceed the amount of the modification provided under subparagraph (G) of paragraph (2) of this subsection (b) which is related to such dividends; plus (ii) 100% of the amount by which dividends, included in taxable income and received, including, for taxable years ending on or after December 31, 1988, dividends received or deemed received or paid or deemed paid under Sections 951 through 964 of the Internal Revenue Code, from any such corporation specified in clause (i) that would but for the provisions of Section 1504 (b) (3) of the Internal Revenue Code be treated as a member of the affiliated group which includes the dividend recipient, exceed the amount of the modification provided under subparagraph (G) of paragraph (2) of this subsection (b) which is related to such dividends;

(P) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(Q) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(R) In the case of an attorney-in-fact with respect to whom an interinsurer or a reciprocal insurer has made the election under Section 835 of the Internal Revenue Code, 26 U.S.C. 835, an amount equal to the excess, if any, of the amounts paid or incurred by that interinsurer or reciprocal insurer in the taxable year to the attorney-in-fact over the deduction allowed to that interinsurer or reciprocal insurer with respect to the attorney-in-fact under Section 835(b) of the Internal Revenue Code for the taxable year;

(S) For taxable years ending on or after December 31, 1997, in the case of a Subchapter S corporation, an amount equal to all amounts of income allocable to a shareholder subject to the Personal Property Tax Replacement Income Tax imposed by subsections (c) and (d) of Section 201 of this Act, including amounts allocable to organizations exempt from federal income tax by reason of Section 501(a) of the Internal Revenue Code. This subparagraph (S) is exempt from the provisions of Section 250;

(T) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code; and

(U) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (E-10), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property.

(3) Special rule. For purposes of paragraph (2) (A), "gross income" in the case of a life insurance company, for tax years ending on and after December 31, 1994, shall mean the gross investment income for the taxable year.

(c) Trusts and estates.

(1) In general. In the case of a trust or estate, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. Subject to the provisions of paragraph (3), the taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) In the case of (i) an estate, \$600; (ii) a trust which, under its governing instrument, is required to distribute all of its income currently, \$300; and (iii) any other trust, \$100, but in each such case, only to the extent such amount was deducted in the computation of taxable income;

(C) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of taxable income for the taxable year;

(D) The amount of any net operating loss deduction taken in arriving at taxable income, other than a net operating loss carried forward from a taxable year ending prior to December 31, 1986;

(E) For taxable years in which a net operating loss carryback or carryforward from a taxable year ending prior to December 31, 1986 is an element of taxable income under paragraph (1) of subsection (e) or subparagraph (E) of paragraph (2) of subsection (e), the amount by which addition modifications other than those provided by this subparagraph (E) exceeded subtraction modifications in such taxable year, with the following limitations applied in the order that they are listed:

(i) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall be reduced by the amount of addition modification under this subparagraph (E) which related to that net operating loss and which was taken into account in calculating the base income of an earlier taxable year, and

(ii) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall not exceed the amount of such carryback or carryforward;

For taxable years in which there is a net operating loss carryback or carryforward from more than one other taxable year ending prior to December 31, 1986, the addition modification provided in this subparagraph (E) shall be the sum of the amounts computed independently under the preceding provisions of this subparagraph (E) for each such taxable year;

(F) For taxable years ending on or after January 1, 1989, an amount equal to the tax deducted pursuant to Section 164 of the Internal Revenue Code if the trust or estate is claiming the same tax for purposes of the Illinois foreign tax credit under Section 601 of this Act;

(G) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of taxable income;

(G-5) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the trust or estate deducted in computing adjusted gross income and for which the trust or estate claims a credit under subsection (l) of Section 201;

(G-10) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code; and

(G-11) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (G-10), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (R) with respect to that property. ;

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property; and by deducting from the total so obtained the sum of the following amounts:

(H) An amount equal to all amounts included in such total pursuant to the provisions of Sections 402(a), 402(c), 403(a), 403(b), 406(a), 407(a) and 408 of the Internal Revenue Code or included in such total as distributions under the provisions of any retirement or disability plan for employees of any governmental agency or unit, or retirement payments to retired partners, which payments are excluded in computing net earnings from self employment

by Section 1402 of the Internal Revenue Code and regulations adopted pursuant thereto;

(I) The valuation limitation amount;

(J) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(K) An amount equal to all amounts included in taxable income as modified by subparagraphs (A), (B), (C), (D), (E), (F) and (G) which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State or of the United States, any treaty of the United States, the Illinois Constitution, or the United States Constitution that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the income ~~interest~~ net of bond premium amortization, interest expense incurred on indebtedness to carry the bond or other obligation, expenses incurred in producing the income to be deducted, and all other related expenses. The amount of expenses to be taken into account under this provision may not exceed the amount of income that is exempted;

(L) With the exception of any amounts subtracted under subparagraph (K), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a) (2) and 265(a)(2) of the Internal Revenue Code, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code of 1954, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(M) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act and conducts substantially all of its operations in an Enterprise Zone or Zones;

(N) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(O) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (M) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (O);

(P) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(Q) For taxable year 1999 and thereafter, an amount equal to the amount of any (i) distributions, to the extent includible in gross income for federal income tax purposes, made to the taxpayer because of his or her status as a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim and (ii) items of income, to the extent includible in gross income for federal income tax purposes, attributable to, derived from or in any way related to assets stolen from, hidden from, or otherwise lost to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime by European insurance companies immediately prior to and during World War II; provided, however, this subtraction from federal adjusted gross income does not apply to assets acquired with such assets or with the proceeds from the sale of such assets; provided, further, this paragraph shall only apply to a taxpayer who was the first recipient of such assets after their recovery and who is a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim. The amount of and the eligibility for any public assistance, benefit, or similar entitlement is not affected by the inclusion of items (i) and (ii) of this paragraph in gross income for federal income tax purposes. This paragraph is exempt from the provisions of Section 250;

(R) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable

year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code; and

(S) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (G-10), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property.

(3) Limitation. The amount of any modification otherwise required under this subsection shall, under regulations prescribed by the Department, be adjusted by any amounts included therein which were properly paid, credited, or required to be distributed, or permanently set aside for charitable purposes pursuant to Internal Revenue Code Section 642(c) during the taxable year.

(d) Partnerships.

(1) In general. In the case of a partnership, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. The taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income for the taxable year;

(C) The amount of deductions allowed to the partnership pursuant to Section 707 (c) of the Internal Revenue Code in calculating its taxable income;

(D) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of taxable income;

(D-5) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code; and

(D-6) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-5), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (O) with respect to that property; ⁵

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property; and by deducting from the total so obtained the following amounts:

(E) The valuation limitation amount;

(F) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(G) An amount equal to all amounts included in taxable income as modified by subparagraphs (A), (B), (C) and (D) which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State or of the United States, any treaty of the United States, the Illinois Constitution, or the United States Constitution that exempts income derived from bonds or other obligations from the tax imposed under this Act, the

amount exempted shall be the ~~income interest~~ net of bond premium amortization, interest expense incurred on indebtedness to carry the bond or other obligation, expenses incurred in producing the income to be deducted, and all other related expenses. The amount of expenses to be taken into account under this provision may not exceed the amount of income that is exempted;

(H) Any income of the partnership which constitutes personal service income as defined in Section 1348 (b) (1) of the Internal Revenue Code (as in effect December 31, 1981) or a reasonable allowance for compensation paid or accrued for services rendered by partners to the partnership, whichever is greater;

(I) An amount equal to all amounts of income distributable to an entity subject to the Personal Property Tax Replacement Income Tax imposed by subsections (c) and (d) of Section 201 of this Act including amounts distributable to organizations exempt from federal income tax by reason of Section 501(a) of the Internal Revenue Code;

(J) With the exception of any amounts subtracted under subparagraph (G), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a) (2), and 265(2) of the Internal Revenue Code of 1954, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(K) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act, enacted by the 82nd General Assembly, and conducts substantially all of its operations in an Enterprise Zone or Zones;

(L) An amount equal to any contribution made to a job training project established pursuant to the Real Property Tax Increment Allocation Redevelopment Act;

(M) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (K) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (M);

(N) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(O) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code; and

(P) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-5), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property.

(e) Gross income; adjusted gross income; taxable income.

(1) In general. Subject to the provisions of paragraph (2) and subsection (b) (3), for

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purposes of this Section and Section 803(e), a taxpayer's gross income, adjusted gross income, or taxable income for the taxable year shall mean the amount of gross income, adjusted gross income or taxable income properly reportable for federal income tax purposes for the taxable year under the provisions of the Internal Revenue Code. Taxable income may be less than zero. However, for taxable years ending on or after December 31, 1986, net operating loss carryforwards from taxable years ending prior to December 31, 1986, may not exceed the sum of federal taxable income for the taxable year before net operating loss deduction, plus the excess of addition modifications over subtraction modifications for the taxable year. For taxable years ending prior to December 31, 1986, taxable income may never be an amount in excess of the net operating loss for the taxable year as defined in subsections (c) and (d) of Section 172 of the Internal Revenue Code, provided that when taxable income of a corporation (other than a Subchapter S corporation), trust, or estate is less than zero and addition modifications, other than those provided by subparagraph (E) of paragraph (2) of subsection (b) for corporations or subparagraph (E) of paragraph (2) of subsection (c) for trusts and estates, exceed subtraction modifications, an addition modification must be made under those subparagraphs for any other taxable year to which the taxable income less than zero (net operating loss) is applied under Section 172 of the Internal Revenue Code or under subparagraph (E) of paragraph (2) of this subsection (e) applied in conjunction with Section 172 of the Internal Revenue Code.

(2) Special rule. For purposes of paragraph (1) of this subsection, the taxable income properly reportable for federal income tax purposes shall mean:

(A) Certain life insurance companies. In the case of a life insurance company subject to the tax imposed by Section 801 of the Internal Revenue Code, life insurance company taxable income, plus the amount of distribution from pre-1984 policyholder surplus accounts as calculated under Section 815a of the Internal Revenue Code;

(B) Certain other insurance companies. In the case of mutual insurance companies subject to the tax imposed by Section 831 of the Internal Revenue Code, insurance company taxable income;

(C) Regulated investment companies. In the case of a regulated investment company subject to the tax imposed by Section 852 of the Internal Revenue Code, investment company taxable income;

(D) Real estate investment trusts. In the case of a real estate investment trust subject to the tax imposed by Section 857 of the Internal Revenue Code, real estate investment trust taxable income;

(E) Consolidated corporations. In the case of a corporation which is a member of an affiliated group of corporations filing a consolidated income tax return for the taxable year for federal income tax purposes, taxable income determined as if such corporation had filed a separate return for federal income tax purposes for the taxable year and each preceding taxable year for which it was a member of an affiliated group. For purposes of this subparagraph, the taxpayer's separate taxable income shall be determined as if the election provided by Section 243(b)(2) of the Internal Revenue Code had been in effect for all such years;

(F) Cooperatives. In the case of a cooperative corporation or association, the taxable income of such organization determined in accordance with the provisions of Section 1381 through 1388 of the Internal Revenue Code;

(G) Subchapter S corporations. In the case of: (i) a Subchapter S corporation for which there is in effect an election for the taxable year under Section 1362 of the Internal Revenue Code, the taxable income of such corporation determined in accordance with Section 1363(b) of the Internal Revenue Code, except that taxable income shall take into account those items which are required by Section 1363(b)(1) of the Internal Revenue Code to be separately stated; and (ii) a Subchapter S corporation for which there is in effect a federal election to opt out of the provisions of the Subchapter S Revision Act of 1982 and have applied instead the prior federal Subchapter S rules as in effect on July 1, 1982, the taxable income of such corporation determined in accordance with the federal Subchapter S rules as in effect on July 1, 1982; and

(H) Partnerships. In the case of a partnership, taxable income determined in accordance with Section 703 of the Internal Revenue Code, except that taxable income shall take into account those items which are required by Section 703(a)(1) to be separately stated but which would be taken into account by an individual in calculating his taxable income.

(f) Valuation limitation amount.

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(1) In general. The valuation limitation amount referred to in subsections (a) (2) (G), (c) (2) (I) and (d)(2) (E) is an amount equal to:

(A) The sum of the pre-August 1, 1969 appreciation amounts (to the extent consisting of gain reportable under the provisions of Section 1245 or 1250 of the Internal Revenue Code) for all property in respect of which such gain was reported for the taxable year; plus

(B) The lesser of (i) the sum of the pre-August 1, 1969 appreciation amounts (to the extent consisting of capital gain) for all property in respect of which such gain was reported for federal income tax purposes for the taxable year, or (ii) the net capital gain for the taxable year, reduced in either case by any amount of such gain included in the amount determined under subsection (a) (2) (F) or (c) (2) (H).

(2) Pre-August 1, 1969 appreciation amount.

(A) If the fair market value of property referred to in paragraph (1) was readily ascertainable on August 1, 1969, the pre-August 1, 1969 appreciation amount for such property is the lesser of (i) the excess of such fair market value over the taxpayer's basis (for determining gain) for such property on that date (determined under the Internal Revenue Code as in effect on that date), or (ii) the total gain realized and reportable for federal income tax purposes in respect of the sale, exchange or other disposition of such property.

(B) If the fair market value of property referred to in paragraph (1) was not readily ascertainable on August 1, 1969, the pre-August 1, 1969 appreciation amount for such property is that amount which bears the same ratio to the total gain reported in respect of the property for federal income tax purposes for the taxable year, as the number of full calendar months in that part of the taxpayer's holding period for the property ending July 31, 1969 bears to the number of full calendar months in the taxpayer's entire holding period for the property.

(C) The Department shall prescribe such regulations as may be necessary to carry out the purposes of this paragraph.

(g) Double deductions. Unless specifically provided otherwise, nothing in this Section shall permit the same item to be deducted more than once.

(h) Legislative intention. Except as expressly provided by this Section there shall be no modifications or limitations on the amounts of income, gain, loss or deduction taken into account in determining gross income, adjusted gross income or taxable income for federal income tax purposes for the taxable year, or in the amount of such items entering into the computation of base income and net income under this Act for such taxable year, whether in respect of property values as of August 1, 1969 or otherwise.

(Source: P.A. 91-192, eff. 7-20-99; 91-205, eff. 7-20-99; 91-357, eff. 7-29-99; 91-541, eff. 8-13-99; 91-676, eff. 12-23-99; 91-845, eff. 6-22-00; 91-913, eff. 1-1-01; 92-16, eff. 6-28-01; 92-244, eff. 8-3-01; 92-439, eff. 8-17-01; 92-603, eff. 6-28-02; 92-626, eff. 7-11-02; 92-651, eff. 7-11-02; 92-846, eff. 8-23-02; revised 10-15-03.)"

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 2206, AS AMENDED, by replacing everything after the enacting clause with the following:

"ARTICLE I

Section 1-1. Short title. This Act may be cited as the FY2005 Budget Implementation (Finance) Act.

Section 1-5. Purpose. It is the purpose of this Act to make changes in State programs that are necessary to implement the Governor's FY2005 budget recommendations concerning finance.

ARTICLE 5

Section 5-1. Short title. This Act may be cited as the State Facilities Closure Act. All references in this Article to "this Act" mean this Article.

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Section 5-5. Definitions. In this Act:

"Commission" means the Illinois Economic and Fiscal Commission.

"State facility" means any facility (i) that is owned and operated by the State or leased and operated by the State and (ii) that is the primary stationary work location for 25 or more State employees. "State facility" does not include any facility under the jurisdiction of the legislative branch, including the Auditor General, or the judicial branch.

Section 5-10. Facility closure process.

(a) Before a State facility may be closed, the State executive branch officer with jurisdiction over the facility shall file notice of the proposed closure with the Commission. The notice must be filed within 2 days after the first public announcement of any planned or proposed closure. Within 10 days after it receives notice of the proposed closure, the Commission, in its discretion, may require the State executive branch officer with jurisdiction over the facility to file a recommendation for the closure of the facility with the Commission. The recommendation must be filed within 30 days after the Commission delivers the request for recommendation to the State executive branch officer. The recommendation must include, but is not limited to, the following:

- (1) the location and identity of the State facility proposed to be closed;
- (2) the number of employees for which the State facility is the primary stationary work location and the effect of the closure of the facility on those employees;
- (3) the location or locations to which the functions and employees of the State facility would be moved;
- (4) the availability and condition of land and facilities at both the existing location and any potential locations;
- (5) the ability to accommodate the functions and employees at the existing and at any potential locations;
- (6) the cost of operations of the State facility and at any potential locations and any other related budgetary impacts;
- (7) the economic impact on existing communities in the vicinity of the State facility and any potential facility;
- (8) the ability of the existing and any potential community's infrastructure to support the functions and employees;
- (9) the impact on State services delivered at the existing location, in direct relation to the State services expected to be delivered at any potential locations; and
- (10) the environmental impact, including the impact of costs related to potential environmental restoration, waste management, and environmental compliance activities.

(b) If a recommendation is required by the Commission, a 30-day public comment period must follow the filing of the recommendation. The Commission, in its discretion, may conduct one or more public hearings on the recommendation. Public hearings conducted by the Commission shall be conducted no later than 35 days after the filing of the recommendation. At least one of the public hearings on the recommendation shall be held at a convenient location within 25 miles of the facility for which closure is recommended. The Commission shall provide reasonable notice of the comment period and of any public hearings to the public and to units of local government and school districts that are located within 25 miles of the facility.

(c) Within 50 days after the State executive branch officer files the required recommendation, the Commission shall issue an advisory opinion on that recommendation. The Commission shall file the advisory opinion with the appropriate State executive branch officer, the Governor, the General Assembly, and the Index Department of the Office of the Secretary of State and shall make copies of the advisory opinion available to the public upon request.

(d) No action may be taken to implement the recommendation for closure of a State facility until 50 days after the filing of any required recommendation.

(e) The requirements of this Section do not apply if all of the functions and employees of a State facility are relocated to another State facility that is within 10 miles of the closed facility.

ARTICLE 10

Section 10-50. The Intergovernmental Cooperation Act is amended by adding Section 4.5 as follows:

(5 ILCS 220/4.5 new)

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Sec. 4.5. Prohibited agreements and contracts. No intergovernmental or interagency agreement or contract may be entered into, implemented, or given effect if the agreement's or contract's intent or effect is (i) to circumvent any limitation established by law on State appropriation or State expenditure authority with respect to health care and employee benefits contracts or (ii) to expend State moneys in a manner inconsistent with the purpose for which they were appropriated with respect to health care and employee benefits contracts.

Section 10-52. The Illinois Public Labor Relations Act is amended by changing Section 15 as follows:

(5 ILCS 315/15) (from Ch. 48, par. 1615)

Sec. 15. Act Takes Precedence. (a) In case of any conflict between the provisions of this Act and any other law (other than Section 5 of the State Employees Group Insurance Act of 1971), executive order or administrative regulation relating to wages, hours and conditions of employment and employment relations, the provisions of this Act or any collective bargaining agreement negotiated thereunder shall prevail and control. Nothing in this Act shall be construed to replace or diminish the rights of employees established by Sections 28 and 28a of the Metropolitan Transit Authority Act, Sections 2.15 through 2.19 of the Regional Transportation Authority Act. The provisions of this Act are subject to Section 5 of the State Employees Group Insurance Act of 1971.

(b) Except as provided in subsection (a) above, any collective bargaining contract between a public employer and a labor organization executed pursuant to this Act shall supersede any contrary statutes, charters, ordinances, rules or regulations relating to wages, hours and conditions of employment and employment relations adopted by the public employer or its agents. Any collective bargaining agreement entered into prior to the effective date of this Act shall remain in full force during its duration.

(c) It is the public policy of this State, pursuant to paragraphs (h) and (i) of Section 6 of Article VII of the Illinois Constitution, that the provisions of this Act are the exclusive exercise by the State of powers and functions which might otherwise be exercised by home rule units. Such powers and functions may not be exercised concurrently, either directly or indirectly, by any unit of local government, including any home rule unit, except as otherwise authorized by this Act.

(Source: P.A. 83-1012.)

Section 10-55. The State Employees Group Insurance Act of 1971 is amended by changing Section 5 as follows:

(5 ILCS 375/5) (from Ch. 127, par. 525)

Sec. 5. Employee benefits; declaration of State policy. The General Assembly declares that it is the policy of the State and in the best interest of the State to assure quality benefits to members and their dependents under this Act. The implementation of this policy depends upon, among other things, stability and continuity of coverage, care, and services under benefit programs for members and their dependents. Specifically, but without limitation, members should have continued access, on substantially similar terms and conditions, to trusted family health care providers with whom they have developed long-term relationships through a benefit program under this Act. Therefore, the Director must administer this Act consistent with that State policy, but may consider affordability, cost of coverage and care, and competition among health insurers and providers. All contracts for provision of employee benefits, including those portions of any proposed collective bargaining agreement that would require implementation through contracts entered into under this Act, are subject to the following requirements:

(i) By April 1 of each year, the Director must report and provide information to the Commission concerning the status of the employee benefits program to be offered for the next fiscal year. Information includes, but is not limited to, documents, reports of negotiations, bid invitations, requests for proposals, specifications, copies of proposed and final contracts or agreements, and any other materials concerning contracts or agreements for the employee benefits program. By the first of each month thereafter, the Director must provide updated, and any new, information to the Commission until the employee benefits program for the next fiscal year is determined. In addition to these monthly reporting requirements, at any time the Commission makes a written request, the Director must promptly, but in no event later than 5 business days after receipt of the request, provide to the Commission any additional requested information in the possession of the Director concerning employee benefits programs. The Commission may waive any of the reporting requirements of this item (i) upon the written request by the Director. Any waiver granted under this item (i) must be in writing. Nothing in this item is intended to abrogate any attorney-client privilege.

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(ii) Within 30 days after notice of the awarding or letting of a contract has appeared in the Illinois Procurement Bulletin in accordance with subsection (b) of Section 15-25 of the Illinois Procurement Code, the Commission may request in writing from the Director and the Director shall promptly, but in no event later than 5 business days after receipt of the request, provide to the Commission information in the possession of the Director concerning the proposed contract. Nothing in this item is intended to waive or abrogate any privilege or right of confidentiality authorized by law.

(iii) No contract subject to this Section may be entered into until the 30-day period described in item (ii) has expired, unless the Director requests in writing that the Commission waive the period and the Commission grants the waiver in writing.

(iv) If the Director seeks to make any substantive modification to any provision of a proposed contract after it is submitted to the Commission in accordance with item (ii), the modified contract shall be subject to the requirements of items (ii) and (iii) unless the Commission agrees, in writing, to a waiver of those requirements with respect to the modified contract.

(v) By the date of the beginning of the annual benefit choice period, the Director must transmit to the Commission a copy of each final contract or agreement for the employee benefits program to be offered for the next fiscal year. The annual benefit choice period for an employee benefits program must begin on May 1 of the fiscal year preceding the year for which the program is to be offered. If, however, in any such preceding fiscal year collective bargaining over employee benefit programs for the next fiscal year remains pending on April 15, the beginning date of the annual benefit choice period shall be not later than 15 days after ratification of the collective bargaining agreement.

(vi) The Director must provide the reports, information, and contracts required under items (i), (ii), (iv), and (v) by electronic or other means satisfactory to the Commission. Reports, information, and contracts in the possession of the Commission pursuant to items (i), (ii), (iv), and (v) are exempt from disclosure by the Commission and its members and employees under the Freedom of Information Act. Reports, information, and contracts received by the Commission pursuant to items (i), (ii), (iv), and (v) must be kept confidential by and may not be disclosed or used by the Commission or its members or employees if such disclosure or use could compromise the fairness or integrity of the procurement, bidding, or contract process. Commission meetings, or portions of Commission meetings, in which reports, information, and contracts received by the Commission pursuant to items (i), (ii), (iv), and (v) are discussed must be closed if disclosure or use of the report or information could compromise the fairness or integrity of the procurement, bidding, or contract process.

All contracts entered into under this Section are subject to appropriation and shall comply with Section 20-60(b) of the Illinois Procurement Code (30 ILCS 500/20-60(b)).

The Director shall contract or otherwise make available group life insurance, health benefits and other employee benefits to eligible members and, where elected, their eligible dependents. Any contract or, if applicable, contracts or other arrangement for provision of benefits shall be on terms consistent with State policy and ~~deemed by the Director to be in the best interest of the State of Illinois and its members~~ based on, but not limited to, such criteria as administrative cost, service capabilities of the carrier or other contractor and premiums, fees or charges as related to benefits.

The Director may prepare and issue specifications for group life insurance, health benefits, other employee benefits and administrative services for the purpose of receiving proposals from interested parties.

The Director is authorized to execute a contract, or contracts, for the programs of group life insurance, health benefits, other employee benefits and administrative services authorized by this Act (including, without limitation, prescription drug benefits). All of the benefits provided under this Act may be included in one or more contracts, or the benefits may be classified into different types with each type included under one or more similar contracts with the same or different companies.

The term of any contract may not extend beyond 5 fiscal years. Upon recommendation of the Commission, the Director may exercise renewal options of the same contract for up to a period of 5 years. Any increases in premiums, fees or charges requested by a contractor whose contract may be renewed pursuant to a renewal option contained therein, must be justified on the basis of (1) audited experience data, (2) increases in the costs of health care services provided under the contract, (3) contractor performance, (4) increases in contractor responsibilities, or (5) any combination thereof.

Any contractor shall agree to abide by all requirements of this Act and Rules and Regulations promulgated and adopted thereto; to submit such information and data as may from time to time be deemed necessary by the Director for effective administration of the provisions of this Act and the programs established hereunder, and to fully cooperate in any audit.

(Source: P.A. 91-390, eff. 7-30-99.)

Section 10-58. The Aquaculture Development Act is amended by changing Section 5.5 as follows:
(20 ILCS 215/5.5)

(Section scheduled to be repealed on June 30, 2009)

Sec. 5.5. Aquaculture Cooperative.

(a) The Department of Agriculture shall make grants to an Aquaculture Cooperative from the Illinois Aquaculture Development Fund, a special fund created in the State Treasury. On July 1, 1999 and on each July 1 thereafter through July 1, 2008, the Comptroller shall order transferred and the Treasurer shall transfer \$1,000,000 from the General Revenue Fund into the Illinois Aquaculture Development Fund. The Aquaculture Cooperative shall consist of any individual or entity of the aquaculture industry in this State that seeks membership pursuant to the Agricultural Co-Operative Act. The grants for the Cooperative shall be distributed from the Illinois Aquaculture Development Fund as provided by rule. At the beginning of each fiscal period, the Cooperative shall prepare a budget plan for the next fiscal period, including the probable cost of all programs, projects, and contracts. The Cooperative shall submit the proposed budget to the Director for review and comment. The Director may recommend programs and activities considered appropriate for the Cooperative. The Cooperative shall keep minutes, books, and records that clearly reflect all of the acts and transactions of the Cooperative and shall make this information public. The financial books and records of the Cooperative shall be audited by a certified public accountant at least once each fiscal year and at other times as designated by the Director. The expense of the audit shall be the responsibility of the Cooperative. Copies of the audit shall be provided to all members of the Cooperative, to the Department, and to other requesting members of the aquaculture industry.

(b) The grants to an Aquaculture Cooperative and the proceeds generated by the Cooperative may be used for the following purposes:

- (1) To buy aquatic organisms from members of the Cooperative.
- (2) To buy aquatic organism food in bulk quantities for resale to the members of the Cooperative.
- (3) For transportation, hauling, and delivery equipment.
- (4) For employee salaries, building leases, and other administrative costs.
- (5) To purchase equipment for use by the Cooperative members.
- (6) Any other related costs.

(c) ~~The Illinois Aquaculture Development Fund is abolished on August 31, 2004. Any balance remaining in the Fund on that date shall be transferred to the General Revenue Fund. The Department shall submit a report to the General Assembly before January 1, 2009 with a determination of whether the funding for the Aquaculture Cooperative should be extended beyond June 30, 2009. If the Department recommends an extension of the funding for the Cooperative, then the report shall detail whether the Cooperative funding should be increased, decreased, or eliminated. The report shall be submitted according to Section 5-140 of the Illinois Administrative Procedure Act.~~

(d) This Section is repealed on June 30, 2009.

(Source: P.A. 91-530, eff. 8-13-99.)

Section 10-60. The Department of Central Management Services Law of the Civil Administrative Code of Illinois is amended by changing Sections 405-105, 405-315, and 405-410 and by adding Sections 405-293, 405-411, and 405-415 as follows:

(20 ILCS 405/405-105) (was 20 ILCS 405/64.1)

Sec. 405-105. Fidelity, surety, property, and casualty insurance. The Department shall establish and implement a program to coordinate the handling of all fidelity, surety, property, and casualty insurance exposures of the State and the departments, divisions, agencies, branches, and universities of the State. In performing this responsibility, the Department shall have the power and duty to do the following:

- (1) Develop and maintain loss and exposure data on all State property.
- (2) Study the feasibility of establishing a self-insurance plan for State property and prepare estimates of the costs of reinsurance for risks beyond the realistic limits of the self-insurance.
- (3) Prepare a plan for centralizing the purchase of property and casualty insurance on State property under a master policy or policies and purchase the insurance contracted for as provided in the Illinois Purchasing Act.
- (4) Evaluate existing provisions for fidelity bonds required of State employees and recommend changes that are appropriate commensurate with risk experience and the determinations respecting self-insurance or reinsurance so as to permit reduction of costs without loss of coverage.
- (5) Investigate procedures for inclusion of school districts, public community college districts, and

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other units of local government in programs for the centralized purchase of insurance.

(6) Implement recommendations of the State Property Insurance Study Commission that the Department finds necessary or desirable in the performance of its powers and duties under this Section to achieve efficient and comprehensive risk management.

(7) Prepare and, in the discretion of the Director, implement a plan providing for the purchase of public liability insurance or for self-insurance for public liability or for a combination of purchased insurance and self-insurance for public liability (i) covering the State and drivers of motor vehicles owned, leased, or controlled by the State of Illinois pursuant to the provisions and limitations contained in the Illinois Vehicle Code, (ii) covering other public liability exposures of the State and its employees within the scope of their employment, and (iii) covering drivers of motor vehicles not owned, leased, or controlled by the State but used by a State employee on State business, in excess of liability covered by an insurance policy obtained by the owner of the motor vehicle or in excess of the dollar amounts that the Department shall determine to be reasonable. Any contract of insurance let under this Law shall be by bid in accordance with the procedure set forth in the Illinois Purchasing Act. Any provisions for self-insurance shall conform to subdivision (11).

The term "employee" as used in this subdivision (7) and in subdivision (11) means a person while in the employ of the State who is a member of the staff or personnel of a State agency, bureau, board, commission, committee, department, university, or college or who is a State officer, elected official, commissioner, member of or ex officio member of a State agency, bureau, board, commission, committee, department, university, or college, or a member of the National Guard while on active duty pursuant to orders of the Governor of the State of Illinois, or any other person while using a licensed motor vehicle owned, leased, or controlled by the State of Illinois with the authorization of the State of Illinois, provided the actual use of the motor vehicle is within the scope of that authorization and within the course of State service.

Subsequent to payment of a claim on behalf of an employee pursuant to this Section and after reasonable advance written notice to the employee, the Director may exclude the employee from future coverage or limit the coverage under the plan if (i) the Director determines that the claim resulted from an incident in which the employee was grossly negligent or had engaged in willful and wanton misconduct or (ii) the Director determines that the employee is no longer an acceptable risk based on a review of prior accidents in which the employee was at fault and for which payments were made pursuant to this Section.

The Director is authorized to promulgate administrative rules that may be necessary to establish and administer the plan.

Appropriations from the Road Fund shall be used to pay auto liability claims and related expenses involving employees of the Department of Transportation, the Illinois State Police, and the Secretary of State.

(8) Charge, collect, and receive from all other agencies of the State government fees or monies equivalent to the cost of purchasing the insurance.

(9) Establish, through the Director, charges for risk management services rendered to State agencies by the Department. The State agencies so charged shall reimburse the Department by vouchers drawn against their respective appropriations. The reimbursement shall be determined by the Director as amounts sufficient to reimburse the Department for expenditures incurred in rendering the service.

The Department shall charge the employing State agency or university for workers' compensation payments for temporary total disability paid to any employee after the employee has received temporary total disability payments for 120 days if the employee's treating physician has issued a release to return to work with restrictions and the employee is able to perform modified duty work but the employing State agency or university does not return the employee to work at modified duty. Modified duty shall be duties assigned that may or may not be delineated as part of the duties regularly performed by the employee. Modified duties shall be assigned within the prescribed restrictions established by the treating physician and the physician who performed the independent medical examination. The amount of all reimbursements shall be deposited into the Workers' Compensation Revolving Fund which is hereby created as a revolving special fund in the State treasury. In addition to any other purpose authorized by law, moneys ~~Moneys~~ in the Fund shall be used, subject to appropriation, to pay these or other temporary total disability claims of employees of State agencies and universities.

Beginning with fiscal year 1996, all amounts recovered by the Department through subrogation in workers' compensation and workers' occupational disease cases shall be deposited into the Workers' Compensation Revolving Fund created under this subdivision (9).

(10) Establish rules, procedures, and forms to be used by State agencies in the administration and

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payment of workers' compensation claims. The Department shall initially evaluate and determine the compensability of any injury that is the subject of a workers' compensation claim and provide for the administration and payment of such a claim for all State agencies. The Director may delegate to any agency with the agreement of the agency head the responsibility for evaluation, administration, and payment of that agency's claims.

(11) Any plan for public liability self-insurance implemented under this Section shall provide that (i) the Department shall attempt to settle and may settle any public liability claim filed against the State of Illinois or any public liability claim filed against a State employee on the basis of an occurrence in the course of the employee's State employment; (ii) any settlement of such a claim must be approved by the Director and, in cases of settlements exceeding \$100,000, by the Governor; and (iii) a settlement of any public liability claim against the State or a State employee shall require an unqualified release of any right of action against the State and the employee for acts within the scope of the employee's employment giving rise to the claim.

Whenever and to the extent that a State employee operates a motor vehicle or engages in other activity covered by self-insurance under this Section, the State of Illinois shall defend, indemnify, and hold harmless the employee against any claim in tort filed against the employee for acts or omissions within the scope of the employee's employment in any proper judicial forum and not settled pursuant to this subdivision (11), provided that this obligation of the State of Illinois shall not exceed a maximum liability of \$2,000,000 for any single occurrence in connection with the operation of a motor vehicle or \$100,000 per person per occurrence for any other single occurrence, or \$500,000 for any single occurrence in connection with the provision of medical care by a licensed physician employee.

Any claims against the State of Illinois under a self-insurance plan that are not settled pursuant to this subdivision (11) shall be heard and determined by the Court of Claims and may not be filed or adjudicated in any other forum. The Attorney General of the State of Illinois or the Attorney General's designee shall be the attorney with respect to all public liability self-insurance claims that are not settled pursuant to this subdivision (11) and therefore result in litigation. The payment of any award of the Court of Claims entered against the State relating to any public liability self-insurance claim shall act as a release against any State employee involved in the occurrence.

(12) Administer a plan the purpose of which is to make payments on final settlements or final judgments in accordance with the State Employee Indemnification Act. The plan shall be funded through appropriations from the General Revenue Fund specifically designated for that purpose, except that indemnification expenses for employees of the Department of Transportation, the Illinois State Police, and the Secretary of State shall be paid from the Road Fund. The term "employee" as used in this subdivision (12) has the same meaning as under subsection (b) of Section 1 of the State Employee Indemnification Act. Subject to sufficient appropriation, the Director shall approve payment of any claim presented to the Director that is supported by a final settlement or final judgment when the Attorney General and the chief officer of the public body against whose employee the claim or cause of action is asserted certify to the Director that the claim is in accordance with the State Employee Indemnification Act and that they approve of the payment. In no event shall an amount in excess of \$150,000 be paid from this plan to or for the benefit of any claimant.

(13) Administer a plan the purpose of which is to make payments on final settlements or final judgments for employee wage claims in situations where there was an appropriation relevant to the wage claim, the fiscal year and lapse period have expired, and sufficient funds were available to pay the claim. The plan shall be funded through appropriations from the General Revenue Fund specifically designated for that purpose.

Subject to sufficient appropriation, the Director is authorized to pay any wage claim presented to the Director that is supported by a final settlement or final judgment when the chief officer of the State agency employing the claimant certifies to the Director that the claim is a valid wage claim and that the fiscal year and lapse period have expired. Payment for claims that are properly submitted and certified as valid by the Director shall include interest accrued at the rate of 7% per annum from the forty-fifth day after the claims are received by the Department or 45 days from the date on which the amount of payment is agreed upon, whichever is later, until the date the claims are submitted to the Comptroller for payment. When the Attorney General has filed an appearance in any proceeding concerning a wage claim settlement or judgment, the Attorney General shall certify to the Director that the wage claim is valid before any payment is made. In no event shall an amount in excess of \$150,000 be paid from this plan to or for the benefit of any claimant.

Nothing in Public Act 84-961 shall be construed to affect in any manner the jurisdiction of the Court of Claims concerning wage claims made against the State of Illinois.

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(14) Prepare and, in the discretion of the Director, implement a program for self-insurance for official fidelity and surety bonds for officers and employees as authorized by the Official Bond Act.

(Source: P.A. 91-239, eff. 1-1-00.)

(20 ILCS 405/405-293 new)

Sec. 405-293. Professional Services.

(a) The Department of Central Management Services (the "Department") is responsible for providing professional services for or on behalf of State agencies for all functions transferred to the Department by Executive Order No. 2003-10 (as modified by Section 5.5 of the Executive Reorganization Implementation Act) and may, with the approval of the Governor, provide additional services to or on behalf of State agencies. To the extent not compensated by direct fund transfers, the Department shall be reimbursed from each State agency receiving the benefit of these services. The reimbursement shall be determined by the Director of Central Management Services as the amount required to reimburse the Professional Services Fund for the Department's costs of rendering the professional services on behalf of that State agency.

(b) For the purposes of this Section, "State agency" means each State agency, department, board, and commission directly responsible to the Governor. "Professional services" means legal services, internal audit services, and other services as approved by the Governor.

(20 ILCS 405/405-315) (was 20 ILCS 405/67.24)

Sec. 405-315. Management of State buildings; security force; fees.

(a) To manage, operate, maintain, and preserve from waste the State buildings, facilities, structures, grounds, or other real property transferred to the Department under Section 405-415, including, without limitation, the State buildings listed below. The Department may rent portions of these and other State buildings when in the judgment of the Director those leases or subleases will be in the best interests of the State. The leases or subleases shall not exceed 5 years unless a greater term is specifically authorized.

- a. Peoria Regional Office Building
5415 North University
Peoria, Illinois 61614
- b. Springfield Regional Office Building
4500 South 6th Street
Springfield, Illinois 62703
- c. Champaign Regional Office Building
2125 South 1st Street
Champaign, Illinois 61820
- d. Illinois State Armory Building
124 East Adams
Springfield, Illinois 62706
- e. Marion Regional Office Building
2209 West Main Street
Marion, Illinois 62959
- f. Kenneth Hall Regional State Office Building
#10 Collinsville Avenue
East St. Louis, Illinois 62201
- g. Rockford Regional Office Building
4402 North Main Street
P.O. Box 915
Rockford, Illinois 61105
- h. State of Illinois Building
160 North LaSalle
Chicago, Illinois 60601
- i. Office and Laboratory Building
2121 West Taylor Street
Chicago, Illinois 60602
- j. Central Computer Facility
201 West Adams
Springfield, Illinois 62706
- k. Elgin Office Building
595 South State Street

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- l. James R. Thompson Center
Bounded by Lake, Clark, Randolph and
LaSalle Streets
Chicago, Illinois
- m. The following buildings located within the Chicago
Medical Center District:
 - 1. Lawndale Day Care Center
2929 West 19th Street
 - 2. Edwards Center
2020 Roosevelt Road
 - 3. Illinois Center for
Rehabilitation and Education
1950 West Roosevelt Road and 1151 South Wood Street
 - 4. Department of Children and
Family Services District Office
1026 South Damen
 - 5. The William Heally School
1731 West Taylor
 - 6. Administrative Office Building
1100 South Paulina Street
 - 7. Metro Children and Adolescents Center
1601 West Taylor Street
- n. E.J. "Zeke" Giorgi Center
200 Wyman Street
Rockford, Illinois
- o. Suburban North Facility
9511 Harrison
Des Plaines, Illinois
- p. The following buildings located within the Revenue
Center in Springfield:
 - 1. State Property Control Warehouse
11th & Ash
 - 2. Illinois State Museum Research & Collections
Center
1011 East Ash Street
- q. Effingham Regional Office Building
401 Industrial Drive
Effingham, Illinois
- r. The Communications Center
120 West Jefferson
Springfield, Illinois
- s. Portions or all of the basement and
ground floor of the
State of Illinois Building
160 North LaSalle
Chicago, Illinois 60601

may be leased or subleased to persons, firms, partnerships, associations, or individuals for terms not to exceed 15 years when in the judgment of the Director those leases or subleases will be in the best interests of the State.

Portions or all of the commercial space, which includes the sub-basement, storage mezzanine, concourse, and ground and second floors of the

James R. Thompson Center
Bounded by Lake, Clark, Randolph and LaSalle Streets
Chicago, Illinois

may be leased or subleased to persons, firms, partnerships, associations, or individuals for terms not to exceed 15 years subject to renewals when in the judgment of the Director those leases or subleases will be in the best interests of the State.

The Director is authorized to rent portions of the above described facilities to persons, firms,

partnerships, associations, or individuals for terms not to exceed 30 days when those leases or subleases will not interfere with State usage of the facility. This authority is meant to supplement and shall not in any way be interpreted to restrict the Director's ability to make portions of the State of Illinois Building and the James R. Thompson Center available for long-term commercial leases or subleases.

Provided however, that all rentals or fees charged to persons, firms, partnerships, associations, or individuals for any lease or use of space in the above described facilities made for terms not to exceed 30 days in length shall be deposited in a special fund in the State treasury to be known as the Special Events Revolving Fund.

Notwithstanding the provisions above, the Department of Children and Family Services and the Department of Human Services (as successor to the Department of Rehabilitation Services and the Department of Mental Health and Developmental Disabilities) shall determine the allocation of space for direct recipient care in their respective facilities. The Department of Central Management Services shall consult with the affected agency in the allocation and lease of surplus space in these facilities. Potential lease arrangements shall not endanger the direct recipient care responsibilities in these facilities.

(b) To appoint, subject to the Personnel Code, persons to be members of a police and security force. Members of the security force shall be peace officers when performing duties pursuant to this Section and as such shall have all of the powers possessed by policemen in cities and sheriffs, including the power to make arrests on view or issue citations for violations of State statutes or city or county ordinances, except that in counties of more than 1,000,000 population, any powers created by this subsection shall be exercised only (i) when necessary to protect the property, personnel, or interests of the Department or any State agency for whom the Department manages, operates, or maintains property or (ii) when specifically requested by appropriate State or local law enforcement officials, and except that within counties of 1,000,000 or less population, these powers shall be exercised only when necessary to protect the property, personnel, or interests of the State of Illinois and only while on property managed, operated, or maintained by the Department.

Nothing in this subsection shall be construed so as to make it conflict with any provisions of, or rules promulgated under, the Personnel Code.

(c) To charge reasonable fees for the lease, rental, use, or occupancy of ~~to all State agencies utilizing facilities managed, operated, or maintained by the Department for occupancy-related fees and charges.~~ Except as provided in subsection (a) regarding amounts to be deposited into the Special Events Revolving Fund, ~~all moneys~~ All fees collected under this subsection shall be deposited in a revolving special fund in the State treasury known as the Facilities Management Revolving Fund. ~~As used in this subsection, the term "State agencies" means all departments, officers, commissions, institutions, boards, and bodies politic and corporate of the State.~~

(d) Provisions of this Section relating to the James R. Thompson Center are subject to the provisions of Section 7.4 of the State Property Control Act.

(Source: P.A. 92-302, eff. 8-9-01; 93-19, eff. 6-20-03.)

(20 ILCS 405/405-410)

Sec. 405-410. Transfer of Information Technology functions.

(a) Notwithstanding any other law to the contrary, ~~on or before June 30, 2004,~~ the Director of Central Management Services, working in cooperation with the Director of any other agency, department, board, or commission directly responsible to the Governor, may direct the transfer, to the Department of Central Management Services, of those information technology functions at that agency, department, board, or commission that are suitable for centralization.

Upon receipt of the written direction to transfer information technology functions to the Department of Central Management Services, the personnel, equipment, and property (both real and personal) directly relating to the transferred functions shall be transferred to the Department of Central Management Services, and the relevant documents, records, and correspondence shall be transferred or copied, as the Director may prescribe.

(b) Upon receiving written direction from the Director of Central Management Services, the Comptroller and Treasurer are authorized to transfer the unexpended balance of any appropriations related to the information technology functions transferred to the Department of Central Management Services and shall make the necessary fund transfers from any special fund in the State Treasury or from any other federal or State trust fund held by the Treasurer to the General Revenue Fund for use by the Department of Central Management Services in support of information technology functions or any other related costs or expenses of the Department of Central Management Services.

(c) The rights of employees and the State and its agencies under the Personnel Code and applicable

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collective bargaining agreements or under any pension, retirement, or annuity plan shall not be affected by any transfer under this Section.

(d) The functions transferred to the Department of Central Management Services by this Section shall be vested in and shall be exercised by the Department of Central Management Services. Each act done in the exercise of those functions shall have the same legal effect as if done by the agencies, offices, divisions, departments, bureaus, boards and commissions from which they were transferred.

Every person or other entity shall be subject to the same obligations and duties and any penalties, civil or criminal, arising therefrom, and shall have the same rights arising from the exercise of such rights, powers, and duties as had been exercised by the agencies, offices, divisions, departments, bureaus, boards, and commissions from which they were transferred.

Whenever reports or notices are now required to be made or given or papers or documents furnished or served by any person in regards to the functions transferred to or upon the agencies, offices, divisions, departments, bureaus, boards, and commissions from which the functions were transferred, the same shall be made, given, furnished or served in the same manner to or upon the Department of Central Management Services.

This Section does not affect any act done, ratified, or cancelled or any right occurring or established or any action or proceeding had or commenced in an administrative, civil, or criminal cause regarding the functions transferred, but those proceedings may be continued by the Department of Central Management Services.

This Section does not affect the legality of any rules in the Illinois Administrative Code regarding the functions transferred in this Section that are in force on the effective date of this Section. If necessary, however, the affected agencies shall propose, adopt, or repeal rules, rule amendments, and rule recodifications as appropriate to effectuate this Section.

(Source: P.A. 93-25, eff. 6-20-03.)

(20 ILCS 405/405-411 new)

Sec. 405-411. Consolidation of workers' compensation functions.

(a) Notwithstanding any other law to the contrary, the Director of Central Management Services, working in cooperation with the Director of any other agency, department, board, or commission directly responsible to the Governor, may direct the consolidation, within the Department of Central Management Services, of those workers' compensation functions at that agency, department, board, or commission that are suitable for centralization.

Upon receipt of the written direction to transfer workers' compensation functions to the Department of Central Management Services, the personnel, equipment, and property (both real and personal) directly relating to the transferred functions shall be transferred to the Department of Central Management Services, and the relevant documents, records, and correspondence shall be transferred or copied, as the Director may prescribe.

(b) Upon receiving written direction from the Director of Central Management Services, the Comptroller and Treasurer are authorized to transfer the unexpended balance of any appropriations related to the workers' compensation functions transferred to the Department of Central Management Services and shall make the necessary fund transfers from the General Revenue Fund, any special fund in the State treasury, or any other federal or State trust fund held by the Treasurer to the Workers' Compensation Revolving Fund for use by the Department of Central Management Services in support of workers' compensation functions or any other related costs or expenses of the Department of Central Management Services.

(c) The rights of employees and the State and its agencies under the Personnel Code and applicable collective bargaining agreements or under any pension, retirement, or annuity plan shall not be affected by any transfer under this Section.

(d) The functions transferred to the Department of Central Management Services by this Section shall be vested in and shall be exercised by the Department of Central Management Services. Each act done in the exercise of those functions shall have the same legal effect as if done by the agencies, offices, divisions, departments, bureaus, boards and commissions from which they were transferred.

Every person or other entity shall be subject to the same obligations and duties and any penalties, civil or criminal, arising therefrom, and shall have the same rights arising from the exercise of such rights, powers, and duties as had been exercised by the agencies, offices, divisions, departments, bureaus, boards, and commissions from which they were transferred.

Whenever reports or notices are now required to be made or given or papers or documents furnished or served by any person in regards to the functions transferred to or upon the agencies, offices, divisions, departments, bureaus, boards, and commissions from which the functions were transferred, the same shall be made, given, furnished or served in the same manner to or upon the Department of

Central Management Services.

This Section does not affect any act done, ratified, or cancelled or any right occurring or established or any action or proceeding had or commenced in an administrative, civil, or criminal cause regarding the functions transferred, but those proceedings may be continued by the Department of Central Management Services.

This Section does not affect the legality of any rules in the Illinois Administrative Code regarding the functions transferred in this Section that are in force on the effective date of this Section. If necessary, however, the affected agencies shall propose, adopt, or repeal rules, rule amendments, and rule recodifications as appropriate to effectuate this Section.

(20 ILCS 405/405-415 new)

Sec. 405-415. Transfer of facilities and facility management functions.

(a) Notwithstanding any other law to the contrary, the Director of Central Management Services may direct the transfer, to the Department of Central Management Services, of those facilities and facility management functions authorized to be transferred under Executive Order 10 (2003). Upon receipt of the written direction to transfer facilities or facility management functions to the Department of Central Management Services, the personnel, equipment, and property (both real and personal) directly relating to the transferred functions shall be transferred to the Department of Central Management Services, and the relevant documents, records, and correspondence shall be transferred or copied, as the Director may prescribe.

(b) Upon receiving written direction from the Director of Central Management Services, the Comptroller and Treasurer are authorized to transfer the unexpended balance of any appropriations related to the facilities or facility management functions transferred to the Department of Central Management Services and shall make the necessary fund transfers from the General Revenue Fund, any special fund in the State Treasury, or any other federal or State trust fund held by the Treasurer to the Facilities Management Revolving Fund for use by the Department of Central Management Services in support of facilities and facility management functions or any other related costs or expenses of the Department of Central Management Services.

(c) The Department may adopt rules establishing standards for the maintenance, management, operations, and occupancy of State facilities and the disposition of excess State facilities that are subject to the transfer of ownership and control authorized by Executive Order 10 (2003) and this Section, regardless of whether the Department has actually exercised its rights of ownership and control.

Section 10-65. The Personnel Code is amended by adding Section 12f as follows:

(20 ILCS 415/12f new)

Sec. 12f. Merit compensation/salary grade employees; layoffs.

(a) Each State agency shall make every attempt to minimize the number of its employees that are laid off. In an effort to minimize layoffs, each merit compensation/salary grade employee who is subject to layoff shall be offered any vacant positions for the same title held by that employee within the same agency and county from which the employee is subject to layoff and within 2 additional alternate counties designated by the employee (or 3 additional counties if the employee's facility or office is closing), excluding titles that are subject to collective bargaining. If no such vacancies exist, then the employee shall be placed on the agency's reemployment list for (i) the title from which the employee was laid off and (ii) any other titles or successor titles previously held by that employee in which the employee held certified status within the county from which the employee was laid off and within 2 additional alternate counties designated by the employee (or 3 additional counties if the employee's facility or office is closing), excluding titles that are subject to collective bargaining. Laid-off employees shall remain on a reemployment list for 3 years, commencing with the date of layoff.

(b) Merit compensation/salary grade employees who are laid off shall be extended the same medical and dental insurance benefits to which employees laid off from positions subject to collective bargaining are entitled and on the same terms.

(c) Employees laid off from merit compensation/salary grade positions may apply to be qualified for any titles subject to collective bargaining.

(d) Merit compensation/salary grade employees subject to layoff shall be given 30 days' notice of the layoff. A list of all current vacancies of all titles within the agency shall be provided to the employee with the notice of the layoff.

Section 10-70. The Department of Commerce and Economic Opportunity Law of the Civil

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Administrative Code of Illinois is amended by changing Section 605-365 as follows:

(20 ILCS 605/605-365) (was 20 ILCS 605/46.19a in part)

(Section scheduled to be repealed on September 1, 2004)

Sec. 605-365. Technology Innovation and Commercialization Fund. There is hereby created a special fund in the State treasury to be known as the Technology Innovation and Commercialization Fund. The moneys in the Fund may be used, subject to appropriation, only for making grants pursuant to Section 605-355 and for the purposes of the Technology Advancement and Development Act. All royalties received by the Department shall be deposited into the Fund.

The Technology Innovation and Commercialization Fund is abolished on August 31, 2004. Any balance remaining in the Fund on that date shall be transferred to the General Revenue Fund.

This Section is repealed on September 1, 2004.

(Source: P.A. 90-454, eff. 8-16-97; 91-239, eff. 1-1-00.)

Section 10-75. The Department of Veterans Affairs Act is amended by changing Section 2 as follows:

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

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

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

1. Contact veterans, their survivors and dependents and advise them of the benefits of state and federal laws and assist them in obtaining such benefits;
2. Establish field offices and direct the activities of the personnel assigned to such offices;
3. Create a volunteer field force of accredited representatives, representing educational institutions, labor organizations, veterans organizations, employers, churches, and farm organizations;
4. Conduct informational and training services;
5. Conduct educational programs through newspapers, periodicals and radio for the specific purpose of disseminating information affecting veterans and their dependents;
6. Coordinate the services and activities of all state departments having services and resources affecting veterans and their dependents;
7. Encourage and assist in the coordination of agencies within counties giving service to veterans and their dependents;
8. Cooperate with veterans organizations and other governmental agencies;
9. Make, alter, amend and promulgate reasonable rules and procedures for the administration of this Act;
10. Make and publish annual reports to the Governor regarding the administration and general operation of the Department; and
11. Encourage the State to implement more programs to address the wide range of issues

faced by Persian Gulf War Veterans, especially those who took part in combat, by creating an official commission to further study Persian Gulf War Diseases. The commission shall consist of 9 members appointed as follows: the Speaker and Minority Leader of the House of Representatives and the President and Minority Leader of the Senate shall each appoint one member from the General Assembly, the Governor shall appoint 4 members to represent veterans' organizations, and the Department shall appoint one member. The commission members shall serve without compensation.

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

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

The Department has the power to make grants, from funds appropriated from the Illinois Military Family Relief Fund, for benefits authorized under the Survivors Compensation Act.
(Source: P.A. 92-198, eff. 8-1-01; 92-651, eff. 7-11-02.)

Section 10-85. The Illinois Economic and Fiscal Commission Act is amended by changing Section 3 as follows:

(25 ILCS 155/3) (from Ch. 63, par. 343)

Sec. 3. The Commission shall:

(1) Study from time to time and report to the General Assembly on economic development and trends in the State.

(2) Make such special economic and fiscal studies as it deems appropriate or desirable or as the General Assembly may request.

(3) Based on its studies, recommend such State fiscal and economic policies as it deems appropriate or desirable to improve the functioning of State government and the economy of the various regions within the State.

(4) Prepare annually a State economic report.

(5) Provide information for all appropriate legislative organizations and personnel on economic trends in relation to long range planning and budgeting.

(6) Study and make such recommendations as it deems appropriate to the General Assembly on local and regional economic and fiscal policy and on federal fiscal policy as it may affect Illinois.

(7) Review capital expenditures, appropriations and authorizations for both the State's general obligation and revenue bonding authorities. At the direction of the Commission, specific reviews may include economic feasibility reviews of existing or proposed revenue bond projects to determine the accuracy of the original estimate of useful life of the projects, maintenance requirements and ability to meet debt service requirements through their operating expenses.

(8) Receive and review all executive agency and revenue bonding authority annual and 3 year plans. The Commission shall prepare a consolidated review of these plans, an updated assessment of current State agency capital plans, a report on the outstanding and unissued bond authorizations, an evaluation of the State's ability to market further bond issues and shall submit them as the "Legislative Capital Plan Analysis" to the House and Senate Appropriations Committees at least once a year. The Commission shall annually submit to the General Assembly on the first Wednesday of April a report on the State's long-term capital needs, with particular emphasis upon and detail of the 5-year period in the immediate future.

(9) Study and make recommendations it deems appropriate to the General Assembly on State bond financing, bondability guidelines, and debt management. At the direction of the Commission, specific studies and reviews may take into consideration short and long-run implications of State bonding and debt management policy.

(10) Comply with the provisions of the "State Debt Impact Note Act" as now or hereafter amended.

(11) Comply with the provisions of the Pension Impact Note Act, as now or hereafter amended.

(12) By August 1st of each year, the Commission must prepare and cause to be published a summary report of State appropriations for the State fiscal year beginning the previous July 1st. The summary report must discuss major categories of appropriations, the issues the General Assembly faced in allocating appropriations, comparisons with appropriations for previous State fiscal years, and other matters helpful in providing the citizens of Illinois with an overall understanding of appropriations for that fiscal year. The summary report must be written in plain language and designed for readability. Publication must be in newspapers of general circulation in the various areas of the State to ensure distribution statewide. The summary report must also be published on the General Assembly's web site.

(13) Comply with the provisions of the State Facilities Closure Act.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of the General Assembly Organization Act, and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.

(Source: P.A. 92-67, eff. 7-12-01; 93-632, eff. 2-1-04.)

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Section 10-90. The Fiscal Note Act is amended by changing Section 1 as follows:

(25 ILCS 50/1) (from Ch. 63, par. 42.31)

Sec. 1. Every bill, except those bills making a direct appropriation, (1) the purpose or effect of which is (i) to expend any State funds or to increase or decrease the revenues of the State, either directly or indirectly, or (ii) to require the expenditure of their own funds by, or to increase or decrease the revenues of, units of local government, school districts or community college districts, or to revise the distribution of State funds among units of local government, school districts, or community college districts, either directly or indirectly, or (2) that amends the Mental Health and Developmental Disabilities Code or the Developmental Disability and Mental Disability Services Act shall have prepared for it prior to second reading in the house of introduction a brief explanatory statement or note which, for a bill under item (1), shall include a reliable estimate of the anticipated change in State, local governmental, school district, or community college district expenditures or revenues under its provisions and, for a bill under item (2), shall include a reliable estimate of the fiscal impact of its provisions upon community agencies. For purposes of this Act, indirect revenues include, but are not limited to, increased tax revenues or other increased revenues resulting from economic development, job creation, or cost reduction. The statement or note shall also include an explanation of the methodology used to determine the estimated direct and indirect costs or estimated impact on community agencies. Any notes for bills having a fiscal impact on units of local government, school districts or community college districts shall include such cost estimates as may be required under the State Mandates Act.

If a bill authorizes capital expenditures or appropriates funds for capital expenditures, a statement shall be prepared by the Governor's Office of Management and Budget Bureau of the Budget specifying by year any principal and interest payments required to finance such capital expenditures.

If a bill authorizes the issuance of bonds, a statement or note shall be prepared by the Governor's Office of Management and Budget specifying the estimated total principal and interest payments (assuming interest is paid at a fixed rate) if all of the bonds authorized were issued. The statement or note shall include the total principal on all other then-outstanding Bonds of the State.

These statements or notes shall be known as "fiscal notes".

(Source: P.A. 92-567, eff. 1-1-03; revised 8-23-03.)

Section 10-95. The State Debt Impact Note Act is amended by changing Section 4 as follows:

(25 ILCS 65/4) (from Ch. 63, par. 42.74)

Sec. 4. The State Debt Impact Note shall be factual in nature and as brief and concise as possible. For bills which would appropriate from bond funds, the note shall provide a reliable estimate of the impact of the bill on the State's debt service requirements; a description of the estimated useful life and intended use of the project; and maintenance and operating costs associated with the project. For bills which would add new or increase existing bond authorization levels the note shall assess current outstanding, unissued, and retired bond authorization levels and make reasonable projections of the cost associated with the retirement of the additional bonds. The estimated costs shall specify the estimated total principal and interest payments (assuming interest is paid at a fixed rate) if all of the Bonds authorized were issued. The statement or note shall include the total principal on all other then-outstanding Bonds of the State. A brief summary or work sheet of computations used in arriving at State Debt Impact Notes shall be attached.

(Source: P.A. 81-615.)

Section 10-100. The State Finance Act is amended by changing Sections 6z-32, 8g, 8h, 8.3, 8.12, 8.43, 9, 13.2, 14, and 25 and by adding Sections 5.625, 6z-27.1, 6z-63, 6z-64, 6z-65, 8k, 8m, 14c, and 24.11 as follows:

(30 ILCS 105/5.625 new)

Sec. 5.625. The Professional Services Fund.

(30 ILCS 105/6z-27.1 new)

Sec. 6z-27.1. Transfer from Efficiency Initiative Fund. The sum of \$750,000 is ordered transferred from the Efficiency Initiative Fund to the Comptroller's Administrative Fund to reimburse the Comptroller's office for costs and expenses incurred by that office in relation to efficiency initiatives and agency consolidation, reorganization, and restructuring pursuant to Section 405-292 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois (20 ILCS 405/405-292).

(30 ILCS 105/6z-32)

Sec. 6z-32. Conservation 2000.

(a) The Conservation 2000 Fund and the Conservation 2000 Projects Fund are created as special funds in the State Treasury. These funds shall be used to establish a comprehensive program to protect Illinois' natural resources through cooperative partnerships between State government and public and private landowners. Moneys in these Funds may be used, subject to appropriation, by the Environmental Protection Agency and the Departments of Agriculture, Natural Resources, and Transportation for purposes relating to natural resource protection, recreation, tourism, and compatible agricultural and economic development activities. Without limiting these general purposes, moneys in these Funds may be used, subject to appropriation, for the following specific purposes:

- (1) To foster sustainable agriculture practices and control soil erosion and sedimentation, including grants to Soil and Water Conservation Districts for conservation practice cost-share grants and for personnel, educational, and administrative expenses.
- (2) To establish and protect a system of ecosystems in public and private ownership through conservation easements, incentives to public and private landowners, including technical assistance and grants, and land acquisition provided these mechanisms are all voluntary on the part of the landowner and do not involve the use of eminent domain.
- (3) To develop a systematic and long-term program to effectively measure and monitor natural resources and ecological conditions through investments in technology and involvement of scientific experts.
- (4) To initiate strategies to enhance, use, and maintain Illinois' inland lakes through education, technical assistance, research, and financial incentives.
- (5) To conduct an extensive review of existing Illinois water laws.

(b) The State Comptroller and State Treasurer shall automatically transfer on the last day of each month, beginning on September 30, 1995 and ending on June 30, 2009, from the General Revenue Fund to the Conservation 2000 Fund, an amount equal to 1/10 of the amount set forth below in fiscal year 1996 and an amount equal to 1/12 of the amount set forth below in each of the other specified fiscal years:

Fiscal Year	Amount
1996	\$ 3,500,000
1997	\$ 9,000,000
1998	\$10,000,000
1999	\$11,000,000
2000	\$12,500,000
2001 through 2004 2009	\$14,000,000
<u>2005</u>	<u>\$7,000,000</u>
<u>2006 through 2009</u>	<u>\$14,000,000</u>

(c) There shall be deposited into the Conservation 2000 Projects Fund such bond proceeds and other moneys as may, from time to time, be provided by law.

(Source: P.A. 90-14, eff. 7-1-97; 90-490, eff. 8-17-97; 91-379, eff. 1-1-00.)

(30 ILCS 105/6z-63 new)

Sec. 6z-63. The Professional Services Fund.

(a) The Professional Services Fund is created as a revolving fund in the State treasury. The following moneys shall be deposited into the Fund:

- (1) amounts authorized for transfer to the Fund from the General Revenue Fund and other State funds (except for funds classified by the Comptroller as federal trust funds or State trust funds) pursuant to State law or Executive Order;
- (2) federal funds received by the Department of Central Management Services (the "Department") as a result of expenditures from the Fund;
- (3) interest earned on moneys in the Fund; and
- (4) receipts or inter-fund transfers resulting from billings issued by the Department to State agencies for the cost of professional services rendered by the Department that are not compensated through the specific fund transfers authorized by this Section.

(b) Moneys in the Fund may be used by the Department for reimbursement or payment for:

- (1) providing professional services to State agencies;
- (2) rendering other services at the Governor's direction to State agencies; or
- (3) providing for payment of administrative and other expenses incurred by the Department in providing professional services.

(c) State agencies may direct the Comptroller to process inter-fund transfers or make payment through the voucher and warrant process to the Professional Services Fund in satisfaction of billings

issued under subsection (a) of this Section.

(d) Reconciliation. The Director of Central Management Services (the "Director") shall order that each State agency's payments and transfers made to the Fund be reconciled with actual Fund costs for professional services provided by the Department on no less than an annual basis. The Director may require reports from State agencies as deemed necessary to perform this reconciliation.

(e) The following amounts are authorized for transfer into the Professional Services Fund for the fiscal year beginning July 1, 2004:

General Revenue Fund.....	\$5,440,431
Road Fund.....	\$814,468
Motor Fuel Tax Fund.....	\$263,500
Child Support Administrative Fund.....	\$234,013
Professions Indirect Cost Fund.....	\$276,800
Capital Development Board Revolving Fund.....	\$207,610
Bank & Trust Company Fund.....	\$200,214
State Lottery Fund.....	\$193,691
Insurance Producer Administration Fund.....	\$174,672
Insurance Financial Regulation Fund.....	\$168,327
Illinois Clean Water Fund.....	\$124,675
Clean Air Act (CAA) Permit Fund.....	\$91,803
Statistical Services Revolving Fund.....	\$90,959
Financial Institution Fund.....	\$109,428
Horse Racing Fund.....	\$71,127
Health Insurance Reserve Fund.....	\$66,577
Solid Waste Management Fund.....	\$61,081
Guardianship and Advocacy Fund.....	\$1,068
Agricultural Premium Fund.....	\$493
Wildlife and Fish Fund.....	\$247
Radiation Protection Fund.....	\$33,277
Nuclear Safety Emergency Preparedness Fund.....	\$25,652
Tourism Promotion Fund.....	\$6,814

All of these transfers shall be made on July 1, 2004, or as soon thereafter as practical. These transfers shall be made notwithstanding any other provision of State law to the contrary.

(f) The term "professional services" means services rendered on behalf of State agencies pursuant to Section 405-293 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois.

(30 ILCS 105/6z-64 new)

Sec. 6z-64. The Workers' Compensation Revolving Fund.

(a) The Workers' Compensation Revolving Fund is created as a revolving fund in the State treasury. The following moneys shall be deposited into the Fund:

(1) amounts authorized for transfer to the Fund from the General Revenue Fund and other State funds (except for funds classified by the Comptroller as federal trust funds or State trust funds) pursuant to State law or Executive Order;

(2) federal funds received by the Department of Central Management Services (the "Department") as a result of expenditures from the Fund;

(3) interest earned on moneys in the Fund;

(4) receipts or inter-fund transfers resulting from billings issued by the Department to State agencies for the cost of workers' compensation services rendered by the Department that are not compensated through the specific fund transfers authorized by this Section, if any;

(5) amounts received from a State agency or university for workers' compensation payments for temporary total disability, as provided in Section 405-105 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois; and

(6) amounts recovered through subrogation in workers' compensation and workers' occupational disease cases.

(b) Moneys in the Fund may be used by the Department for reimbursement or payment for:

(1) providing workers' compensation services to State agencies and State universities; or

(2) providing for payment of administrative and other expenses incurred by the Department in providing workers' compensation services.

(c) State agencies may direct the Comptroller to process inter-fund transfers or make payment through the voucher and warrant process to the Workers' Compensation Revolving Fund in

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satisfaction of billings issued under subsection (a) of this Section.

(d) Reconciliation. The Director of Central Management Services (the "Director") shall order that each State agency's payments and transfers made to the Fund be reconciled with actual Fund costs for workers' compensation services provided by the Department and attributable to the State agency and relevant fund on no less than an annual basis. The Director may require reports from State agencies as deemed necessary to perform this reconciliation.

(e) The term "workers' compensation services" means services, claims expenses, and related administrative costs incurred in performing the functions consolidated within the Department of Central Management Services under Section 405-411 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois.

(30 ILCS 105/6z-65 new)

Sec. 6z-65. The Facilities Management Revolving Fund.

(a) The Facilities Management Revolving Fund is created as a revolving fund in the State treasury. The following moneys shall be deposited into the Fund:

(1) amounts authorized for transfer to the Fund from the General Revenue Fund and other State funds (except for funds classified by the Comptroller as federal trust funds or State trust funds) pursuant to State law or Executive Order;

(2) federal funds received by the Department of Central Management Services (the "Department") as a result of expenditures from the Fund;

(3) interest earned on moneys in the Fund;

(4) receipts or inter-fund transfers resulting from billings issued by the Department to State agencies for the cost of facilities management services rendered by the Department that are not compensated through the specific fund transfers authorized by this Section, if any; and

(5) fees from the lease, rental, use, or occupancy of State facilities managed, operated, or maintained by the Department.

(b) Moneys in the Fund may be used by the Department for reimbursement or payment for:

(1) the acquisition and operation of State facilities, including, without limitation, rental or installment payments and interest, personal services, utilities, maintenance, and remodeling; or

(2) providing for payment of administrative and other expenses incurred by the Department in providing facilities management services.

(c) State agencies may direct the Comptroller to process inter-fund transfers or make payment through the voucher and warrant process to the Facilities Management Revolving Fund in satisfaction of billings issued under subsection (a) of this Section.

(d) Reconciliation. The Director of Central Management Services (the "Director") shall order that each State agency's payments and transfers made to the Fund be reconciled with actual Fund costs for facilities management services provided by the Department and attributable to the State agency and relevant fund on no less than an annual basis. The Director may require reports from State agencies as deemed necessary to perform this reconciliation.

(e) The term "facilities management services" means services performed by the Department in providing for the acquisition, occupancy, management, and operation of State owned and leased buildings, facilities, structures, grounds, or the real property under management of the Department.

(30 ILCS 105/8.12) (from Ch. 127, par. 144.12)

Sec. 8.12. State Pensions Fund.

(a) The moneys in the State Pensions Fund shall be used exclusively for the administration of the Uniform Disposition of Unclaimed Property Act and for the payment of or repayment to the General Revenue Fund a portion of the required State contributions to the designated retirement systems.

"Designated retirement systems" means:

- (1) the State Employees' Retirement System of Illinois;
- (2) the Teachers' Retirement System of the State of Illinois;
- (3) the State Universities Retirement System;
- (4) the Judges Retirement System of Illinois; and
- (5) the General Assembly Retirement System.

(b) Each year the General Assembly may make appropriations from the State Pensions Fund for the administration of the Uniform Disposition of Unclaimed Property Act.

Each month, the Commissioner of the Office of Banks and Real Estate shall certify to the State Treasurer the actual expenditures that the Office of Banks and Real Estate incurred conducting unclaimed property examinations under the Uniform Disposition of Unclaimed Property Act during the immediately preceding month. Within a reasonable time following the acceptance of such certification by the State Treasurer, the State Treasurer shall pay from its appropriation from the State

Pensions Fund to the Bank and Trust Company Fund and the Savings and Residential Finance Regulatory Fund an amount equal to the expenditures incurred by each Fund for that month.

Each month, the Director of Financial Institutions shall certify to the State Treasurer the actual expenditures that the Department of Financial Institutions incurred conducting unclaimed property examinations under the Uniform Disposition of Unclaimed Property Act during the immediately preceding month. Within a reasonable time following the acceptance of such certification by the State Treasurer, the State Treasurer shall pay from its appropriation from the State Pensions Fund to the Financial Institutions Fund and the Credit Union Fund an amount equal to the expenditures incurred by each Fund for that month.

(c) As soon as possible after the effective date of this amendatory Act of the 93rd General Assembly, the General Assembly shall appropriate from the State Pensions Fund (1) to the State Universities Retirement System the amount certified under Section 15-165 during the prior year, (2) to the Judges Retirement System of Illinois the amount certified under Section 18-140 during the prior year, and (3) to the General Assembly Retirement System the amount certified under Section 2-134 during the prior year as part of the required State contributions to each of those designated retirement systems; except that amounts appropriated under this subsection (c) in State fiscal year 2005 shall not reduce the amount in the State Pensions Fund below \$5,000,000. If the amount in the State Pensions Fund does not exceed the sum of the amounts certified in Sections 15-165, 18-140, and 2-134 by at least \$5,000,000, the amount paid to each designated retirement system under this subsection shall be reduced in proportion to the amount certified by each of those designated retirement systems. For each State fiscal year beginning with State fiscal year 2006, ~~Each year~~ the General Assembly shall appropriate a total amount equal to the balance in the State Pensions Fund at the close of business on June 30 of the preceding fiscal year, less \$5,000,000, as part of the required State contributions to the designated retirement systems. The amount of the appropriation to ~~each~~ designated retirement ~~systems~~ ~~system~~ shall constitute a portion of the total appropriation under this subsection for that fiscal year which is the same as that retirement system's portion of the total actuarial reserve deficiency of the systems, as most recently determined by the Governor's Office of Management and Budget.

(d) The Governor's Office of Management and Budget shall determine the individual and total reserve deficiencies of the designated retirement systems. For this purpose, the Governor's Office of Management and Budget shall utilize the latest available audit and actuarial reports of each of the retirement systems and the relevant reports and statistics of the Public Employee Pension Fund Division of the Department of Insurance.

(d-1) As soon as practicable after the effective date of this amendatory Act of the 93rd General Assembly, the Comptroller shall direct and the Treasurer shall transfer from the State Pensions Fund to the General Revenue Fund, as funds become available, a sum equal to the amounts that would have been paid from the State Pensions Fund to the Teachers' Retirement System of the State of Illinois, the State Universities Retirement System, the Judges Retirement System of Illinois, the General Assembly Retirement System, and the State Employees' Retirement System of Illinois after the effective date of this amendatory Act during the remainder of fiscal year 2004 to the designated retirement systems from the appropriations provided for in this Section if the transfers provided in Section 6z-61 had not occurred. The transfers described in this subsection (d-1) are to partially repay the General Revenue Fund for the costs associated with the bonds used to fund the moneys transferred to the designated retirement systems under Section 6z-61.

(e) The changes to this Section made by this amendatory Act of 1994 shall first apply to distributions from the Fund for State fiscal year 1996.

(Source: P.A. 93-665, eff. 3-5-04.)

(30 ILCS 105/8.43 new)

Sec. 8.43. Special fund transfers.

(a) In order to maintain the integrity of special funds and improve stability in the General Revenue Fund, the following transfers are authorized from the designated funds into the General Revenue Fund:

<u>SECRETARY OF STATE SPECIAL LICENSE</u>	
PLATE FUND.....	\$856,000
<u>SECURITIES INVESTORS EDUCATION</u>	
FUND	\$3,271,000
<u>SECURITIES AUDIT & ENFORCEMENT</u>	
FUND.....	\$17,014,000
<u>DEPARTMENT OF BUSINESS SERVICES SPECIAL</u>	
OPERATIONS FUND.....	\$524,000

SECRETARY OF STATE SPECIAL SERVICES FUND	\$600,000
<u>SECRETARY OF STATE DUI ADMINISTRATION</u>	
FUND	\$582,000
FOOD & DRUG SAFETY FUND	\$817,000
<u>TRANSPORTATION REGULATORY</u>	
FUND	\$2,379,000
FINANCIAL INSTITUTION FUND	\$2,003,000
GENERAL PROFESSIONS DEDICATED	
FUND	\$497,000
DRIVERS EDUCATION FUND	\$2,967,000
STATE BOATING ACT FUND	\$1,072,000
<u>AGRICULTURAL PREMIUM</u>	
FUND	\$7,777,000
PUBLIC UTILITY FUND	\$8,202,000
RADIATION PROTECTION FUND	\$750,000
SOLID WASTE MANAGEMENT FUND	\$10,084,000
<u>SUBTITLE D MANAGEMENT</u>	
FUND	\$3,006,000
PLUGGING AND RESTORATION FUND	\$1,255,000
<u>REGISTERED CERTIFIED PUBLIC ACCOUNTANTS</u>	
<u>ADMINISTRATION AND DISCIPLINARY</u>	
FUND	\$819,000
WEIGHTS AND MEASURES FUND	\$1,800,000
SOLID WASTE MANAGEMENT REVOLVING LOAN	
FUND	\$647,000
RESPONSE CONTRACTORS INDEMNIFICATION	
FUND	\$107,000
CAPITAL DEVELOPMENT BOARD REVOLVING LOAN	
FUND	\$1,229,000
PROFESSIONS INDIRECT COST FUND	
	\$39,000
<u>ILLINOIS HEALTH FACILITIES PLANNING</u>	
FUND	\$2,351,000
<u>OPTOMETRIC LICENSING AND DISCIPLINARY</u>	
BOARD FUND	\$1,121,000
STATE RAIL FREIGHT LOAN REPAYMENT FUND	
	\$3,500,000
ILLINOIS TAX INCREMENT FUND	\$1,500,000
<u>USED TIRE MANAGEMENT</u>	
FUND	\$3,278,000
AUDIT EXPENSE FUND	\$1,237,000
<u>INSURANCE PREMIUM TAX REFUND</u>	
FUND	\$2,500,000
<u>CORPORATE FRANCHISE TAX REFUND</u>	
FUND	\$1,650,000
<u>TAX COMPLIANCE AND ADMINISTRATION</u>	
FUND	\$9,513,000
APPRAISAL ADMINISTRATION	
FUND	\$1,107,000
STATE ASSET FORFEITURE FUND	\$1,500,000
FEDERAL ASSET FORFEITURE FUND	\$3,943,000
<u>DEPARTMENT OF CORRECTIONS REIMBURSEMENT</u>	
AND EDUCATION FUND	\$14,500,000
LEADS MAINTENANCE FUND	\$2,000,000
STATE OFFENDER DNA IDENTIFICATION SYSTEM	
FUND	\$250,000
<u>WORKFORCE, TECHNOLOGY, AND ECONOMIC</u>	
DEVELOPMENT FUND	\$1,500,000

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<u>RENEWABLE ENERGY RESOURCES TRUST FUND</u>	\$9,510,000
<u>ENERGY EFFICIENCY TRUST FUND</u>	\$3,040,000
<u>CONSERVATION 2000 FUND</u>	\$7,439,000
<u>HORSE RACING FUND</u>	\$2,500,000
<u>STATE POLICE WIRELESS SERVICE EMERGENCY</u> <u>FUND</u>	\$500,000
<u>WHISTLEBLOWER REWARD AND PROTECTION</u> <u>FUND</u>	\$750,000
<u>TOBACCO SETTLEMENT RECOVERY</u> <u>FUND</u>	\$19,300,000
<u>PRESIDENTIAL LIBRARY AND MUSEUM FUND</u>	\$500,000
<u>MEDICAL SPECIAL PURPOSES TRUST</u> <u>FUND</u>	\$967,000
<u>DRAM SHOP FUND</u>	\$1,517,000
<u>DESIGN PROFESSIONALS ADMINISTRATION AND</u> <u>INVESTIGATION FUND</u>	\$1,172,000
<u>ILLINOIS FORESTRY DEVELOPMENT</u> <u>FUND</u>	\$1,257,000
<u>STATE POLICE SERVICES</u> <u>FUND</u>	\$250,000
<u>METABOLIC SCREENING AND TREATMENT</u> <u>FUND</u>	\$3,435,000
<u>INSURANCE PRODUCER ADMINISTRATION</u> <u>FUND</u>	\$12,727,000
<u>LOW-LEVEL RADIOACTIVE WASTE FACILITY</u> <u>DEVELOPMENT AND OPERATION</u> <u>FUND</u>	\$2,202,000
<u>LOW-LEVEL RADIOACTIVE WASTE FACILITY CLOSURE,</u> <u>POST-CLOSURE CARE AND COMPENSATION</u> <u>FUND</u>	\$6,000,000
<u>ENVIRONMENTAL PROTECTION PERMIT AND</u> <u>INSPECTION FUND</u>	\$874,000
<u>PARK AND CONSERVATION</u> <u>FUND</u>	\$1,000,000
<u>PUBLIC INFRASTRUCTURE CONSTRUCTION LOAN</u> <u>REVOLVING FUND</u>	\$1,822,000
<u>LOBBYIST REGISTRATION ADMINISTRATION</u> <u>FUND</u>	\$327,000
<u>DIVISION OF CORPORATIONS REGISTERED</u> <u>LIMITED LIABILITY PARTNERSHIP</u> <u>FUND</u>	\$356,000
<u>WORKING CAPITAL REVOLVING FUND</u> <u>(30 ILCS 105/6)</u>	\$12,000,000

All of these transfers shall be made on the effective date of this amendatory Act of the 93rd General Assembly, or as soon thereafter as practical. These transfers shall be made notwithstanding any other provision of State law to the contrary.

(b) On and after the effective date of this amendatory Act of the 93rd General Assembly through June 30, 2005, when any of the funds listed in subsection (a) have insufficient cash from which the State Comptroller may make expenditures properly supported by appropriations from the fund, then the State Treasurer and State Comptroller shall transfer from the General Revenue Fund to the fund only such amount as is immediately necessary to satisfy outstanding expenditure obligations on a timely basis, subject to the provisions of the State Prompt Payment Act. Any amounts transferred from the General Revenue Fund to a fund pursuant to this subsection (b) from time to time shall be re-transferred by the State Comptroller and the State Treasurer from the receiving fund into the General Revenue Fund as soon as and to the extent that deposits are made into or receipts are collected by the receiving fund. In all events, the full amounts of all transfers from the General Revenue Fund to receiving funds shall be re-transferred to the General Revenue Fund no later than June 30, 2005.

(c) The sum of \$57,700,000 shall be transferred, pursuant to appropriation, from the State Pensions

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Fund to the designated retirement systems (as defined in Section 8.12 of the State Finance Act) on the effective date of this amendatory Act of the 93rd General Assembly, or as soon thereafter as practical. On April 16, 2005, or as soon thereafter as practical, there shall be transferred, pursuant to appropriation, from the State Pensions Fund to the designated retirement systems (as defined in Section 8.12 of the State Finance Act) the lesser of (i) an amount equal to the balance in the State Pensions Fund on April 16, 2005, minus an amount equal to 75% of the total amount of fiscal year 2005 appropriations from the State Pensions Fund that were appropriated to the State Treasurer for administration of the Uniform Disposition of Unclaimed Property Act or (ii) \$35,000,000. These transfers are intended to be all or part of the transfer required under Section 8.12 of the State Finance Act for fiscal year 2005.

(d) The sum of \$49,775,000 shall be transferred from the School Technology Revolving Loan Fund to the Common School Fund on the effective date of this amendatory Act of the 93rd General Assembly, or as soon thereafter as practical, notwithstanding any other provision of State law to the contrary.

(e) The sum of \$80,000,000 shall be transferred from the General Revenue Fund to the State Pensions Fund on the effective date of this amendatory Act of the 93rd General Assembly, or as soon thereafter as practical.

(30 ILCS 105/8g)

Sec. 8g. Fund transfers ~~Transfers from General Revenue Fund.~~

(a) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 91st General Assembly, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$10,000,000 from the General Revenue Fund to the Motor Vehicle License Plate Fund created by Senate Bill 1028 of the 91st General Assembly.

(b) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 91st General Assembly, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$25,000,000 from the General Revenue Fund to the Fund for Illinois' Future created by Senate Bill 1066 of the 91st General Assembly.

(c) In addition to any other transfers that may be provided for by law, on August 30 of each fiscal year's license period, the Illinois Liquor Control Commission shall direct and the State Comptroller and State Treasurer shall transfer from the General Revenue Fund to the Youth Alcoholism and Substance Abuse Prevention Fund an amount equal to the number of retail liquor licenses issued for that fiscal year multiplied by \$50.

(d) The payments to programs required under subsection (d) of Section 28.1 of the Horse Racing Act of 1975 shall be made, pursuant to appropriation, from the special funds referred to in the statutes cited in that subsection, rather than directly from the General Revenue Fund.

Beginning January 1, 2000, on the first day of each month, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer from the General Revenue Fund to each of the special funds from which payments are to be made under Section 28.1(d) of the Horse Racing Act of 1975 an amount equal to 1/12 of the annual amount required for those payments from that special fund, which annual amount shall not exceed the annual amount for those payments from that special fund for the calendar year 1998. The special funds to which transfers shall be made under this subsection (d) include, but are not necessarily limited to, the Agricultural Premium Fund; the Metropolitan Exposition Auditorium and Office Building Fund; the Fair and Exposition Fund; the Standardbred Breeders Fund; the Thoroughbred Breeders Fund; and the Illinois Veterans' Rehabilitation Fund.

(e) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 91st General Assembly, but in no event later than June 30, 2000, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$15,000,000 from the General Revenue Fund to the Fund for Illinois' Future.

(f) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 91st General Assembly, but in no event later than June 30, 2000, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$70,000,000 from the General Revenue Fund to the Long-Term Care Provider Fund.

(f-1) In fiscal year 2002, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of \$160,000,000 from the General Revenue Fund to the Long-Term Care Provider Fund.

(g) In addition to any other transfers that may be provided for by law, on July 1, 2001, or as soon

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thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$1,200,000 from the General Revenue Fund to the Violence Prevention Fund.

(h) In each of fiscal years 2002 through ~~2004~~ 2007, but not thereafter, in addition to any other transfers that may be provided for by law, the State Comptroller shall direct and the State Treasurer shall transfer \$5,000,000 from the General Revenue Fund to the Tourism Promotion Fund.

(i) On or after July 1, 2001 and until May 1, 2002, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of \$80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be re-transferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2002.

(i-1) On or after July 1, 2002 and until May 1, 2003, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of \$80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be re-transferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2003.

(j) On or after July 1, 2001 and no later than June 30, 2002, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not to exceed the following sums into the Statistical Services Revolving Fund:

From the General Revenue Fund.....	\$8,450,000
From the Public Utility Fund.....	1,700,000
From the Transportation Regulatory Fund.....	2,650,000
From the Title III Social Security and Employment Fund.....	3,700,000
From the Professions Indirect Cost Fund.....	4,050,000
From the Underground Storage Tank Fund.....	550,000
From the Agricultural Premium Fund.....	750,000
From the State Pensions Fund.....	200,000
From the Road Fund.....	2,000,000
From the Health Facilities Planning Fund.....	1,000,000
From the Savings and Residential Finance Regulatory Fund.....	130,800
From the Appraisal Administration Fund.....	28,600
From the Pawnbroker Regulation Fund.....	3,600
From the Auction Regulation Administration Fund.....	35,800
From the Bank and Trust Company Fund.....	634,800
From the Real Estate License Administration Fund.....	313,600

(k) In addition to any other transfers that may be provided for by law, as soon as may be practical after the effective date of this amendatory Act of the 92nd General Assembly, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$2,000,000 from the General Revenue Fund to the Teachers Health Insurance Security Fund.

(k-1) In addition to any other transfers that may be provided for by law, on July 1, 2002, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$2,000,000 from the General Revenue Fund to the Teachers Health Insurance Security Fund.

(k-2) In addition to any other transfers that may be provided for by law, on July 1, 2003, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$2,000,000 from the General Revenue Fund to the Teachers Health Insurance Security Fund.

(k-3) On or after July 1, 2002 and no later than June 30, 2003, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not to exceed the following

sums into the Statistical Services Revolving Fund:

Appraisal Administration Fund.....	\$150,000
General Revenue Fund.....	10,440,000
Savings and Residential Finance Regulatory Fund.....	200,000
State Pensions Fund.....	100,000
Bank and Trust Company Fund.....	100,000
Professions Indirect Cost Fund.....	3,400,000
Public Utility Fund.....	2,081,200
Real Estate License Administration Fund.....	150,000
Title III Social Security and Employment Fund.....	1,000,000
Transportation Regulatory Fund.....	3,052,100
Underground Storage Tank Fund.....	50,000

(l) In addition to any other transfers that may be provided for by law, on July 1, 2002, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$3,000,000 from the General Revenue Fund to the Presidential Library and Museum Operating Fund.

(m) In addition to any other transfers that may be provided for by law, on July 1, 2002 and on the effective date of this amendatory Act of the 93rd General Assembly, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$1,200,000 from the General Revenue Fund to the Violence Prevention Fund.

(n) In addition to any other transfers that may be provided for by law, on July 1, 2003, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$6,800,000 from the General Revenue Fund to the DHS Recoveries Trust Fund.

(o) On or after July 1, 2003, and no later than June 30, 2004, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not to exceed the following sums into the Vehicle Inspection Fund:

From the Underground Storage Tank Fund	\$35,000,000.
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(p) On or after July 1, 2003 and until May 1, 2004, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of \$80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be re-transferred from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2004.

(q) In addition to any other transfers that may be provided for by law, on July 1, 2003, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$5,000,000 from the General Revenue Fund to the Illinois Military Family Relief Fund.

(r) In addition to any other transfers that may be provided for by law, on July 1, 2003, or as soon as may be practical thereafter, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$1,922,000 from the General Revenue Fund to the Presidential Library and Museum Operating Fund.

(s) In addition to any other transfers that may be provided for by law, on or after July 1, 2003, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$4,800,000 from the Statewide Economic Development Fund to the General Revenue Fund.

(t) In addition to any other transfers that may be provided for by law, on or after July 1, 2003, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$50,000,000 from the General Revenue Fund to the Budget Stabilization Fund.

(u) On or after July 1, 2004 and until May 1, 2005, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Governor, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of \$80,000,000 from the General Revenue Fund to the Tobacco Settlement Recovery Fund. Any amounts so transferred shall be retransferred by the State Comptroller and the State Treasurer from the Tobacco Settlement Recovery Fund to the General Revenue Fund at the direction of and upon notification from the Governor, but in any event on or before June 30, 2005.

(v) In addition to any other transfers that may be provided for by law, on July 1, 2004, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$1,200,000 from the General Revenue Fund to the Violence Prevention Fund.

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(w) In addition to any other transfers that may be provided for by law, on July 1, 2004, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$6,445,000 from the General Revenue Fund to the Presidential Library and Museum Operating Fund.

(Source: P.A. 92-11, eff. 6-11-01; 92-505, eff. 12-20-01; 92-600, eff. 6-28-02; 93-32, eff. 6-20-03; 93-648, eff. 1-8-04.)

(30 ILCS 105/8h)

Sec. 8h. Transfers to General Revenue Fund.

(a) Except as provided in subsection (b), notwithstanding any other State law to the contrary, the Governor ~~Director of the Governor's Office of Management and Budget~~ may, through June 30, 2007, from time to time direct the State Treasurer and Comptroller to transfer a specified sum from any fund held by the State Treasurer to the General Revenue Fund in order to help defray the State's operating costs for the fiscal year. The total transfer under this Section from any fund in any fiscal year shall not exceed the lesser of (i) 8% of the revenues to be deposited into the fund during that fiscal year or (ii) an amount that leaves a remaining fund balance of 25% of the July 1 fund balance of that fiscal year ~~of the beginning balance in the fund.~~ In fiscal year 2005 only, prior to calculating the July 1, 2004 final balances, the Governor may calculate and direct the State Treasurer with the Comptroller to transfer additional amounts determined by applying the formula authorized in this amendatory Act of the 93rd General Assembly to the funds balances on July 1, 2003. No transfer may be made from a fund under this Section that would have the effect of reducing the available balance in the fund to an amount less than the amount remaining unexpended and unreserved from the total appropriation from that fund estimated to be expended for that fiscal year. This Section does not apply to any funds that are restricted by federal law to a specific use or to any funds in the Motor Fuel Tax Fund, the Hospital Provider Fund, or the Medicaid Provider Relief Fund. Notwithstanding any other provision of this Section, for fiscal year 2004, the total transfer under this Section from the Road Fund or the State Construction Account Fund shall not exceed the lesser of (i) 5% of the revenues to be deposited into the fund during that fiscal year or (ii) 25% of the beginning balance in the fund. For fiscal year 2005 through fiscal year 2007, no amounts may be transferred under this Section from the Road Fund, the State Construction Account Fund, the Criminal Justice Information Systems Trust Fund, the Wireless Carrier Reimbursement Fund, or the Mandatory Arbitration Fund.

In determining the available balance in a fund, the ~~Governor Director of the Governor's Office of Management and Budget~~ may include receipts, transfers into the fund, and other resources anticipated to be available in the fund in that fiscal year.

The State Treasurer and Comptroller shall transfer the amounts designated under this Section as soon as may be practicable after receiving the direction to transfer from the ~~Governor Director of the Governor's Office of Management and Budget~~.

(b) This Section does not apply to any fund established under the Community Senior Services and Resources Act.

(Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674, eff. 6-10-04; 93-714, eff. 7-12-04; revised 7-20-04.)

(30 ILCS 105/8k new)

Sec. 8k. Interfund transfers from inactive funds. Notwithstanding any other provision of law to the contrary, on June 30, 2004, or as soon thereafter as may be practical, the State Comptroller shall direct and the State Treasurer shall transfer the remaining balance from the designated funds into the General Revenue Fund:

(1) the Grape and Wine Resources Fund; and

(2) the Statewide Economic Development Fund.

(30 ILCS 105/8m new)

Sec. 8m. Transfers from the Board of Higher Education State Projects Fund. On September 1, 2004, or as soon thereafter as may be practical, the Comptroller shall order and the Treasurer shall transfer remaining moneys in the Board of Higher Education State Projects Fund, certified by the Board of Higher Education to be attributable to the Illinois Century Network, into the Communications Revolving Fund.

(30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

Sec. 8.3. Money in the Road Fund shall, if and when the State of Illinois incurs any bonded indebtedness for the construction of permanent highways, be set aside and used for the purpose of paying and discharging annually the principal and interest on that bonded indebtedness then due and payable, and for no other purpose. The surplus, if any, in the Road Fund after the payment of principal and interest on that bonded indebtedness then annually due shall be used as follows:

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first -- to pay the cost of administration of Chapters 2 through 10 of the Illinois Vehicle Code, except the cost of administration of Articles I and II of Chapter 3 of that Code; and secondly -- for expenses of the Department of Transportation for construction, reconstruction, improvement, repair, maintenance, operation, and administration of highways in accordance with the provisions of laws relating thereto, or for any purpose related or incident to and connected therewith, including the separation of grades of those highways with railroads and with highways and including the payment of awards made by the Industrial Commission under the terms of the Workers' Compensation Act or Workers' Occupational Diseases Act for injury or death of an employee of the Division of Highways in the Department of Transportation; or for the acquisition of land and the erection of buildings for highway purposes, including the acquisition of highway right-of-way or for investigations to determine the reasonably anticipated future highway needs; or for making of surveys, plans, specifications and estimates for and in the construction and maintenance of flight strips and of highways necessary to provide access to military and naval reservations, to defense industries and defense-industry sites, and to the sources of raw materials and for replacing existing highways and highway connections shut off from general public use at military and naval reservations and defense-industry sites, or for the purchase of right-of-way, except that the State shall be reimbursed in full for any expense incurred in building the flight strips; or for the operating and maintaining of highway garages; or for patrolling and policing the public highways and conserving the peace; or for the operating expenses of the Department relating to the administration of public transportation programs; or for any of those purposes or any other purpose that may be provided by law.

Appropriations for any of those purposes are payable from the Road Fund. Appropriations may also be made from the Road Fund for the administrative expenses of any State agency that are related to motor vehicles or arise from the use of motor vehicles.

Beginning with fiscal year 1980 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement;

1. Department of Public Health;
2. Department of Transportation, only with respect to subsidies for one-half fare Student Transportation and Reduced Fare for Elderly;
3. Department of Central Management Services, except for expenditures incurred for group insurance premiums of appropriate personnel;
4. Judicial Systems and Agencies.

Beginning with fiscal year 1981 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement:

1. Department of State Police, except for expenditures with respect to the Division of Operations;
2. Department of Transportation, only with respect to Intercity Rail Subsidies and Rail Freight Services.

Beginning with fiscal year 1982 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement: Department of Central Management Services, except for awards made by the Industrial Commission under the terms of the Workers' Compensation Act or Workers' Occupational Diseases Act for injury or death of an employee of the Division of Highways in the Department of Transportation.

Beginning with fiscal year 1984 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement:

1. Department of State Police, except not more than 40% of the funds appropriated for the Division of Operations;
2. State Officers.

Beginning with fiscal year 1984 and thereafter, no Road Fund monies shall be appropriated to any Department or agency of State government for administration, grants, or operations except as provided hereafter; but this limitation is not a restriction upon appropriating for those purposes any Road Fund

monies that are eligible for federal reimbursement. It shall not be lawful to circumvent the above appropriation limitations by governmental reorganization or other methods. Appropriations shall be made from the Road Fund only in accordance with the provisions of this Section.

Money in the Road Fund shall, if and when the State of Illinois incurs any bonded indebtedness for the construction of permanent highways, be set aside and used for the purpose of paying and discharging during each fiscal year the principal and interest on that bonded indebtedness as it becomes due and payable as provided in the Transportation Bond Act, and for no other purpose. The surplus, if any, in the Road Fund after the payment of principal and interest on that bonded indebtedness then annually due shall be used as follows:

first -- to pay the cost of administration of Chapters 2 through 10 of the Illinois Vehicle Code; and

secondly -- no Road Fund monies derived from fees, excises, or license taxes relating to registration, operation and use of vehicles on public highways or to fuels used for the propulsion of those vehicles, shall be appropriated or expended other than for costs of administering the laws imposing those fees, excises, and license taxes, statutory refunds and adjustments allowed thereunder, administrative costs of the Department of Transportation, including, but not limited to, the operating expenses of the Department relating to the administration of public transportation programs, payment of debts and liabilities incurred in construction and reconstruction of public highways and bridges, acquisition of rights-of-way for and the cost of construction, reconstruction, maintenance, repair, and operation of public highways and bridges under the direction and supervision of the State, political subdivision, or municipality collecting those monies, and the costs for patrolling and policing the public highways (by State, political subdivision, or municipality collecting that money) for enforcement of traffic laws. The separation of grades of such highways with railroads and costs associated with protection of at-grade highway and railroad crossing shall also be permissible.

Appropriations for any of such purposes are payable from the Road Fund or the Grade Crossing Protection Fund as provided in Section 8 of the Motor Fuel Tax Law.

Except as provided in this paragraph, beginning with fiscal year 1991 and thereafter, no Road Fund monies shall be appropriated to the Department of State Police for the purposes of this Section in excess of its total fiscal year 1990 Road Fund appropriations for those purposes unless otherwise provided in Section 5g of this Act. For fiscal years 2003, ~~and 2004~~ and 2005 only, no Road Fund monies shall be appropriated to the Department of State Police for the purposes of this Section in excess of \$97,310,000. It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other methods unless otherwise provided in Section 5g of this Act.

In fiscal year 1994, no Road Fund monies shall be appropriated to the Secretary of State for the purposes of this Section in excess of the total fiscal year 1991 Road Fund appropriations to the Secretary of State for those purposes, plus \$9,800,000. It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other method.

Beginning with fiscal year 1995 and thereafter, no Road Fund monies shall be appropriated to the Secretary of State for the purposes of this Section in excess of the total fiscal year 1994 Road Fund appropriations to the Secretary of State for those purposes. It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other methods.

Beginning with fiscal year 2000, total Road Fund appropriations to the Secretary of State for the purposes of this Section shall not exceed the amounts specified for the following fiscal years:

Fiscal Year 2000	\$80,500,000;
Fiscal Year 2001	\$80,500,000;
Fiscal Year 2002	\$80,500,000;
Fiscal Year 2003	\$130,500,000;
Fiscal Year 2004	\$130,500,000;
Fiscal Year 2005 and	<u>\$130,500,000;</u>
<u>Fiscal Year 2006 and</u>	<u>\$30,500,000.</u>

each year thereafter

It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other methods.

No new program may be initiated in fiscal year 1991 and thereafter that is not consistent with the limitations imposed by this Section for fiscal year 1984 and thereafter, insofar as appropriation of Road Fund monies is concerned.

Nothing in this Section prohibits transfers from the Road Fund to the State Construction Account Fund under Section 5e of this Act; nor to the General Revenue Fund, as authorized by this amendatory

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Act of the 93rd General Assembly.

The additional amounts authorized for expenditure in this Section by Public Acts 92-0600 and 93-0025 ~~this amendatory Act of the 92nd General Assembly~~ shall be repaid to the Road Fund from the General Revenue Fund in the next succeeding fiscal year that the General Revenue Fund has a positive budgetary balance, as determined by generally accepted accounting principles applicable to government.

The additional amounts authorized for expenditure by the Secretary of State and the Department of State Police in this Section by this amendatory Act of the 93rd General Assembly shall be repaid to the Road Fund from the General Revenue Fund in the next succeeding fiscal year that the General Revenue Fund has a positive budgetary balance, as determined by generally accepted accounting principles applicable to government.

(Source: P.A. 92-600, eff. 6-28-02; 93-25, eff. 6-20-03.)

(30 ILCS 105/9) (from Ch. 127, par. 145)

Sec. 9. (a) No disbursements from appropriations shall be made for rental or purchase of office or other space, buildings or land, except in pursuance of a written lease or purchase contract entered into by the proper State authority and the owner or authorized agent of the property. Such lease shall not exceed 5 years unless a greater term is authorized by law, but such lease may contain a renewal clause subject to acceptance by the State after that date or an option to purchase. Such purchase contract may provide for the title to the property to transfer immediately to the State or a trustee or nominee for the benefit of the State and for the consideration to be paid in installments to be made at stated intervals during a certain term not to exceed 30 years from the date of the contract and may provide for the payment of interest on the unpaid balance at a rate that does not exceed a rate determined by adding 3 percentage points to the annual yield on United States Treasury obligations of comparable maturity as most recently published in the Wall Street Journal at the time such contract is signed. Such lease or purchase contract shall be and shall recite that it is subject to termination and cancellation in any year for which the General Assembly fails to make an appropriation to pay the rent or purchase installments payable under the terms of such lease or purchase contract. Additionally such purchase contract shall specify that title to the office and storage space, buildings, land and other facilities being acquired under such a contract shall revert to the Seller in the event of the failure of the General Assembly to appropriate suitable funds. This limitation does not apply to leases for office or other space, buildings, or land, where such leases or purchase contracts contain a provision limiting the liability for the payment of the rental or installments thereunder solely to funds received from the Federal Government. A copy of each such lease or purchase contract shall be filed in the office of the Secretary of State within 15 days after execution.

(b) ~~The State shall not enter into any third-party vendor or other arrangement relating to the issuance of certificates of participation or other forms of financing relating to the rental or purchase of office or other space, buildings, or land unless otherwise authorized by law. , through the Bureau of the Budget for real property and improvements and personal property related thereto, and through the Department of Central Management Services for personal property, may issue or cause to be issued certificates of participation or similar instruments representing the right to receive a proportionate share in lease purchase or installment purchase payments to be made by or for the benefit of one or more State agencies for the acquisition or improvement of real or personal property, or refinancing of such property or payment of expenses related to the issuance. The total principal amount of the certificates issued or caused to be issued pursuant to this Section for acquisition of real property shall not exceed \$125,000,000. Certificates issued or caused to be issued pursuant to this Section shall mean certificates heretofore or hereafter signed and delivered by the State or signed and delivered by a trustee or fiscal agent pursuant to the written direction of the State. Nothing in this Section shall (i) prohibit or restrict the issuance of or affect the validity or enforceability of certificates heretofore or hereafter signed and delivered by any lessor or seller or an assignee of either under a lease purchase or installment purchase contract with the State or signed and delivered by a trustee or fiscal agent pursuant to the written direction of such lessor or seller or an assignee of either, or (ii) affect the validity or enforceability of any such lease purchase or installment purchase contract.~~

~~(1) Certificates may be issued or caused to be issued pursuant to this Section if the Director of the Bureau of the Budget determines that it is financially desirable and in the best interest of the State to use certificates of participation to finance or refinance installment purchase or lease purchase contracts entered into by State departments, agencies, or universities or to refund or advance refund prior issuances of certificates of participation or similar instruments including certificates of participation issued under this Section and certificates of participation issued before the effective date of this amendatory Act of 1997. The State, through the Bureau of the Budget for real property and~~

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improvements and personal property related thereto, and through the Department of Central Management Services for personal property, may enter into arrangements for issuing, securing, and marketing certificates of participation, including agreements, trust indentures and other arrangements necessary or desirable to carry out the foregoing, and any reserve funds or other amounts securing the certificates may be held and invested as provided in such agreements and trust indentures.

(2) Certificates of participation or similar instruments issued or caused to be issued pursuant to this Section and the underlying lease purchase or installment purchase contracts shall not constitute or create debt of the State as defined in the Illinois Constitution, nor a contractual obligation in excess of the amounts appropriated therefor, and the State shall have no continuing obligation to appropriate money for said payments or other obligations due under the lease purchase or installment purchase contracts; provided, however, that the Governor shall include in the annual budget request to the General Assembly for each relevant fiscal year appropriations sufficient to permit payment of all amounts which will be due and payable during the fiscal year with respect to certificates of participation issued or caused to be issued pursuant to this Section.

(3) The maximum term of certificates of participation issued to finance personal property shall be 10 years. The maximum term of certificates of participation to finance the acquisition or improvement of real property shall be 25 years. In no event, however, shall the term exceed the expected useful life of the property being financed, with the term calculated from the date of delivery, with respect to personal property, and the date of occupancy, with respect to real property.

(4) Ten days before the issuance of certificates of participation under this Section, the Director of the Bureau of the Budget for real property and improvements and personal property related thereto and the Department of Central Management Services for personal property shall transmit to the Executive Director of the Economic and Fiscal Commission, to the Auditor General, to the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives, to the Chairs of the Appropriations Committees, and to the Secretary of the Senate and Clerk of the House a notice providing the following information pertaining to the property to be financed by the certificates:

- (1) The agency and program procuring the property.
- (2) A brief description of the property.
- (3) The estimated cost of the property if purchased outright.
- (4) The estimated terms of the financings.
- (5) The estimated total lease or installment purchase payments for property.
- (6) The estimated lease or installment purchase payments by fiscal year for the current fiscal year and the next 5 fiscal years.
- (7) The anticipated source of funds to make lease or installment purchase payments.
- (8) Those items not anticipated to be financed upon enactment of the budget for the fiscal year.

A copy of the Preliminary Official Statement shall also be transmitted to the Executive Director of the Economic and Fiscal Commission, to the Auditor General, to the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, to the Chairs of the Appropriations Committees, and to the Secretary of the Senate and Clerk of the House at the time it is submitted for publication. After the issuance of the certificates, a copy of the final official statement accompanying the issuance shall be filed with the Economic and Fiscal Commission, with the Auditor General, with the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives, with the Chairs of the Appropriations Committees, and with the Secretary of the Senate and Clerk of the House.

(5) The Bureau of the Budget may, based on a cost benefit analysis, issue general obligation bonds to finance or refinance installment purchase or lease purchase contracts entered into by State departments, agencies, or universities or to refund or advance refund prior issuances of certificates of participation or similar instruments, including certificates of participation issued under this Section and certificates of participation issued before the effective date of this amendatory Act of 1997.

(6) The Department of Central Management Services may promulgate rules governing its issuance and conditions of use of certificates of participation and similar instruments.

(c) Amounts paid from appropriations for personal service of any officer or employee of the State, either temporary or regular, shall be considered as full payment for all services rendered between the dates specified in the payroll or other voucher and no additional sum shall be paid to such officer or employee from any lump sum appropriation, appropriation for extra help or other purpose or any accumulated balances in specific appropriations, which payments would constitute in fact an additional payment for work already performed and for which remuneration had already been made,

except that wage payments made pursuant to the application of the prevailing rate principle or based upon the effective date of a collective bargaining agreement between the State, or a State agency and an employee group, or payment of funds as an adjustment to wages paid employees or officers of the State for the purpose of correcting a clerical or administrative error or oversight or pursuant to a backpay order issued by an appropriate State or federal administrative or judicial body or officer shall not be construed as an additional payment for work already performed.

(d) Disbursements from appropriations which are subject to the approval or certification of the Department of Central Management Services are subject to the following restrictions.

Payments for personal service except for positions specified in all appropriation Acts shall be made in conformity with schedules and amendments thereto submitted by the respective officers and approved by the Department of Central Management Services before becoming effective. Such schedules and amendments thereto may set up groups of employment showing the approximate number to be employed, with fixed or minimum and maximum salary rates.

This Section is subject to the provisions of Section 9.02.

(Source: P.A. 90-520, eff. 6-1-98; revised 8-23-03.)

(30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

Sec. 13.2. Transfers among line item appropriations.

(a) Transfers among line item appropriations from the same treasury fund for the objects specified in this Section may be made in the manner provided in this Section when the balance remaining in one or more such line item appropriations is insufficient for the purpose for which the appropriation was made.

(a-1) No transfers may be made from one agency to another agency, nor may transfers be made from one institution of higher education to another institution of higher education.

(a-2) Except as otherwise provided in this Section, transfers ~~Transfers~~ may be made only among the objects of expenditure enumerated in this Section, except that no funds may be transferred from any appropriation for personal services, from any appropriation for State contributions to the State Employees' Retirement System, from any separate appropriation for employee retirement contributions paid by the employer, nor from any appropriation for State contribution for employee group insurance. During State fiscal year 2005, an agency may transfer amounts among its appropriations within the same treasury fund for personal services, employee retirement contributions paid by employer, and State Contributions to retirement systems; notwithstanding and in addition to the transfers authorized in subsection (c) of this Section, the fiscal year 2005 transfers authorized in this sentence may be made in an amount not to exceed 2% of the aggregate amount appropriated to an agency within the same treasury fund.

(a-3) Further, if an agency receives a separate appropriation for employee retirement contributions paid by the employer, any transfer by that agency into an appropriation for personal services must be accompanied by a corresponding transfer into the appropriation for employee retirement contributions paid by the employer, in an amount sufficient to meet the employer share of the employee contributions required to be remitted to the retirement system.

(b) In addition to the general transfer authority provided under subsection (c), the following agencies have the specific transfer authority granted in this subsection:

The Illinois Department of Public Aid is authorized to make transfers representing savings attributable to not increasing grants due to the births of additional children from line items for payments of cash grants to line items for payments for employment and social services for the purposes outlined in subsection (f) of Section 4-2 of the Illinois Public Aid Code.

The Department of Children and Family Services is authorized to make transfers not exceeding 2% of the aggregate amount appropriated to it within the same treasury fund for the following line items among these same line items: Foster Home and Specialized Foster Care and Prevention, Institutions and Group Homes and Prevention, and Purchase of Adoption and Guardianship Services.

The Department on Aging is authorized to make transfers not exceeding 2% of the aggregate amount appropriated to it within the same treasury fund for the following Community Care Program line items among these same line items: Homemaker and Senior Companion Services, Case Coordination Units, and Adult Day Care Services.

The State Treasurer is authorized to make transfers among line item appropriations from the Capital Litigation Trust Fund, with respect to costs incurred in fiscal years 2002 and 2003 only, when the balance remaining in one or more such line item appropriations is insufficient for the purpose for which the appropriation was made, provided that no such transfer may be made unless the amount transferred is no longer required for the purpose for which that appropriation was made.

(c) The sum of such transfers for an agency in a fiscal year shall not exceed 2% of the aggregate

amount appropriated to it within the same treasury fund for the following objects: Personal Services; Extra Help; Student and Inmate Compensation; State Contributions to Retirement Systems; State Contributions to Social Security; State Contribution for Employee Group Insurance; Contractual Services; Travel; Commodities; Printing; Equipment; Electronic Data Processing; Operation of Automotive Equipment; Telecommunications Services; Travel and Allowance for Committed, Paroled and Discharged Prisoners; Library Books; Federal Matching Grants for Student Loans; Refunds; Workers' Compensation, Occupational Disease, and Tort Claims; and, in appropriations to institutions of higher education, Awards and Grants. Notwithstanding the above, any amounts appropriated for payment of workers' compensation claims to an agency to which the authority to evaluate, administer and pay such claims has been delegated by the Department of Central Management Services may be transferred to any other expenditure object where such amounts exceed the amount necessary for the payment of such claims.

(c-1) Special provisions for State fiscal year 2003. Notwithstanding any other provision of this Section to the contrary, for State fiscal year 2003 only, transfers among line item appropriations to an agency from the same treasury fund may be made provided that the sum of such transfers for an agency in State fiscal year 2003 shall not exceed 3% of the aggregate amount appropriated to that State agency for State fiscal year 2003 for the following objects: personal services, except that no transfer may be approved which reduces the aggregate appropriations for personal services within an agency; extra help; student and inmate compensation; State contributions to retirement systems; State contributions to social security; State contributions for employee group insurance; contractual services; travel; commodities; printing; equipment; electronic data processing; operation of automotive equipment; telecommunications services; travel and allowance for committed, paroled, and discharged prisoners; library books; federal matching grants for student loans; refunds; workers' compensation, occupational disease, and tort claims; and, in appropriations to institutions of higher education, awards and grants.

(c-2) Special provisions for State fiscal year 2005. Notwithstanding subsections (a), (a-2), and (c), for State fiscal year 2005 only, transfers may be made among any line item appropriations from the same or any other treasury fund for any objects or purposes, without limitation, when the balance remaining in one or more such line item appropriations is insufficient for the purpose for which the appropriation was made, provided that the sum of those transfers by a State agency shall not exceed 4% of the aggregate amount appropriated to that State agency for fiscal year 2005.

(d) Transfers among appropriations made to agencies of the Legislative and Judicial departments and to the constitutionally elected officers in the Executive branch require the approval of the officer authorized in Section 10 of this Act to approve and certify vouchers. Transfers among appropriations made to the University of Illinois, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, the Illinois Mathematics and Science Academy and the Board of Higher Education require the approval of the Board of Higher Education and the Governor. Transfers among appropriations to all other agencies require the approval of the Governor.

The officer responsible for approval shall certify that the transfer is necessary to carry out the programs and purposes for which the appropriations were made by the General Assembly and shall transmit to the State Comptroller a certified copy of the approval which shall set forth the specific amounts transferred so that the Comptroller may change his records accordingly. The Comptroller shall furnish the Governor with information copies of all transfers approved for agencies of the Legislative and Judicial departments and transfers approved by the constitutionally elected officials of the Executive branch other than the Governor, showing the amounts transferred and indicating the dates such changes were entered on the Comptroller's records.

(Source: P.A. 92-600, eff. 6-28-02; 92-885, eff. 1-13-03; 93-680, eff. 7-1-04.)

(30 ILCS 105/14) (from Ch. 127, par. 150)

Sec. 14. The item "personal services", when used in an appropriation Act, means the reward or recompense made for personal services rendered for the State by an officer or employee of the State or of an instrumentality thereof, or for the purpose of Section 14a of this Act, or any amount required or authorized to be deducted from the salary of any such person under the provisions of Section 30c of this Act, or any retirement or tax law, or both, or deductions from the salary of any such person under the Social Security Enabling Act or deductions from the salary of such person pursuant to the Voluntary Payroll Deductions Act of 1983.

If no home is furnished to a person who is a full-time chaplain employed by the State or a former full-time chaplain retired from State employment, 20% of the salary or pension paid to that person for

his personal services to the State as chaplain are considered to be a rental allowance paid to him to rent or otherwise provide a home. This amendatory Act of 1973 applies to State salary amounts received after December 31, 1973.

When any appropriation payable from trust funds or federal funds includes an item for personal services but does not include a separate item for State contribution for employee group insurance, the State contribution for employee group insurance in relation to employees paid under that personal services line item shall also be payable under that personal services line item.

When any appropriation payable from trust funds or federal funds includes an item for personal services but does not include a separate item for employee retirement contributions paid by the employer, the State contribution for employee retirement contributions paid by the employer in relation to employees paid under that personal services line item shall also be payable under that personal services line item.

The item "personal services", when used in an appropriation Act, shall also mean and include a payment to a State retirement system by a State agency to discharge a debt arising from the over-refund to an employee of retirement contributions. The payment to a State retirement system authorized by this paragraph shall not be construed to release the employee from his or her obligation to return to the State the amount of the over-refund.

The item "personal services", when used in an appropriation Act, also includes a payment to reimburse the Department of Central Management Services for temporary total disability benefit payments in accordance with subdivision (9) of Section 405-105 of the Department of Central Management Services Law (20 ILCS 405/405-105).

Beginning July 1, 1993, the item "personal services" and related line items, when used in an appropriation Act or this Act, shall also mean and include back wage claims of State officers and employees to the extent those claims have not been satisfied from the back wage appropriation to the Department of Central Management Services in the preceding fiscal year, as provided in Section 14b of this Act and subdivision (13) of Section 405-105 of the Department of Central Management Services Law (20 ILCS 405/405-105).

The item "personal services", when used with respect to State police officers in an appropriation Act, also includes a payment for the burial expenses of a State police officer killed in the line of duty, made in accordance with Section 12.2 of the State Police Act and any rules adopted under that Section.

For State fiscal year 2005, the item "personal services", when used in an appropriation Act, also includes payments for employee retirement contributions paid by the employer.

(Source: P.A. 90-178, eff. 7-23-97; 91-239, eff. 1-1-00.)

(30 ILCS 105/14c new)

Sec. 14c. Prescription drug benefits. For contracts entered into on or after the effective date of this amendatory Act of the 93rd General Assembly, no appropriation may be expended for prescription drug benefits under the State Employees Group Insurance Act of 1971 unless the benefit program allows all prescription drug benefits to be provided on the same terms and conditions by any willing provider that is qualified for network participation and is authorized to dispense prescription drugs.

(30 ILCS 105/24.11 new)

Sec. 24.11. "State contributions to Employees' Retirement System" defined. The item "State contributions to Employees' Retirement System", when used in an appropriation Act, shall include an additional amount determined by the State Employees' Retirement System to be paid over by the State Employees' Retirement System to the General Obligation Bond Retirement and Interest Fund to be used to pay principal of and interest on those general obligation bonds due that fiscal year authorized by subsection (a) of Section 7.2 of the General Obligation Bond Act and issued to provide the proceeds deposited by the State with the State Employees' Retirement System in July 2004, representing deposits other than amounts reserved under subsection (c) of Section 7.2 of the General Obligation Bond Act.

(30 ILCS 105/25) (from Ch. 127, par. 161)

Sec. 25. Fiscal year limitations.

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

(b) Outstanding liabilities as of June 30, payable from appropriations which have otherwise expired, may be paid out of the expiring appropriations during the 2-month period ending at the close of business on August 31. Any service involving professional or artistic skills or any personal services by

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an employee whose compensation is subject to income tax withholding must be performed as of June 30 of the fiscal year in order to be considered an "outstanding liability as of June 30" that is thereby eligible for payment out of the expiring appropriation.

However, payment of tuition reimbursement claims under Section 14-7.03 or 18-3 of the School Code may be made by the State Board of Education from its appropriations for those respective purposes for any fiscal year, even though the claims reimbursed by the payment may be claims attributable to a prior fiscal year, and payments may be made at the direction of the State Superintendent of Education from the fund from which the appropriation is made without regard to any fiscal year limitations.

Medical payments may be made by the Department of Veterans' Affairs from its appropriations for those purposes for any fiscal year, without regard to the fact that the medical services being compensated for by such payment may have been rendered in a prior fiscal year.

Medical payments may be made by the Department of Public Aid and child care payments may be made by the Department of Human Services (as successor to the Department of Public Aid) from appropriations for those purposes for any fiscal year, without regard to the fact that the medical or child care services being compensated for by such payment may have been rendered in a prior fiscal year; and payments may be made at the direction of the Department of Central Management Services from the Health Insurance Reserve Fund and the Local Government Health Insurance Reserve Fund without regard to any fiscal year limitations.

Additionally, payments may be made by the Department of Human Services from its appropriations, or any other State agency from its appropriations with the approval of the Department of Human Services, from the Immigration Reform and Control Fund for purposes authorized pursuant to the Immigration Reform and Control Act of 1986, without regard to any fiscal year limitations.

Further, with respect to costs incurred in fiscal years 2002 and 2003 only, payments may be made by the State Treasurer from its appropriations from the Capital Litigation Trust Fund without regard to any fiscal year limitations.

Lease payments may be made by the Department of Central Management Services under the sale and leaseback provisions of Section 7.4 of the State Property Control Act with respect to the James R. Thompson Center and the Elgin Mental Health Center and surrounding land from appropriations for that purpose without regard to any fiscal year limitations.

Lease payments may be made under the sale and leaseback provisions of Section 7.5 of the State Property Control Act with respect to the Illinois State Toll Highway Authority headquarters building and surrounding land without regard to any fiscal year limitations.

(c) Further, payments may be made by the Department of Public Health and the Department of Human Services (acting as successor to the Department of Public Health under the Department of Human Services Act) from their respective appropriations for grants for medical care to or on behalf of persons suffering from chronic renal disease, persons suffering from hemophilia, rape victims, and premature and high-mortality risk infants and their mothers and for grants for supplemental food supplies provided under the United States Department of Agriculture Women, Infants and Children Nutrition Program, for any fiscal year without regard to the fact that the services being compensated for by such payment may have been rendered in a prior fiscal year.

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

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

(f) The Department of Human Services (as successor to the Department of Public Aid) shall annually submit to the State Comptroller, Senate President, Senate Minority Leader, Speaker of the House, House Minority Leader, and the respective Chairmen and Minority Spokesmen of the

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

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

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

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

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

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

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

(1) billing user agencies in advance for payments or authorized inter-fund transfers based on estimated charges for goods or services;

(2) issuing credits, refunding through inter-fund transfers, or reducing future inter-fund transfers during the subsequent fiscal year for all user agency payments or authorized inter-fund transfers received during the prior fiscal year which were in excess of the final amounts owed by the user agency for that period; and

(3) issuing catch-up billings to user agencies during the subsequent fiscal year for amounts remaining due when payments or authorized inter-fund transfers received from the user agency during the prior fiscal year were less than the total amount owed for that period.

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

(Source: P.A. 92-885, eff. 1-13-03; 93-19, eff. 6-20-03.)

Section 10-105. The State Officers and Employees Money Disposition Act is amended by adding Section 5a as follows:

(30 ILCS 230/5a new)

Sec. 5a. The Secretary of State shall deposit all fees into the funds specified in the statute imposing or authorizing the fee no more than 30 days after receipt of the fee by the Secretary of State.

Section 10-110. The General Obligation Bond Act is amended by changing Sections 2, 8, 9, 11, and 16 and by adding Sections 2.5, 15.5, and 21 as follows:

(30 ILCS 330/2) (from Ch. 127, par. 652)

Sec. 2. Authorization for Bonds. The State of Illinois is authorized to issue, sell and provide for the retirement of General Obligation Bonds of the State of Illinois for the categories and specific purposes expressed in Sections 2 through 8 of this Act, in the total amount of \$27,658,149,369.

The bonds authorized in this Section 2 and in Section 16 of this Act are herein called "Bonds".

Of the total amount of Bonds authorized in this Act, up to \$2,200,000,000 in aggregate original principal amount may be issued and sold in accordance with the Baccalaureate Savings Act in the form of General Obligation College Savings Bonds.

Of the total amount of Bonds authorized in this Act, up to \$300,000,000 in aggregate original principal amount may be issued and sold in accordance with the Retirement Savings Act in the form of General Obligation Retirement Savings Bonds.

Of the total amount of Bonds authorized in this Act, the additional \$10,000,000,000 authorized by this amendatory Act of the 93rd General Assembly shall be used solely as provided in Section 7.2.

The issuance and sale of Bonds pursuant to the General Obligation Bond Act is an economical and efficient method of financing the long-term capital and general operating needs of the State. This Act will permit the issuance of a multi-purpose General Obligation Bond with uniform terms and features. This will not only lower the cost of registration but also reduce the overall cost of issuing debt by

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improving the marketability of Illinois General Obligation Bonds.

(Source: P.A. 92-13, eff. 6-22-01; 92-596, eff. 6-28-02; 92-598, eff. 6-28-02; 93-2, eff. 4-7-03.)
(30 ILCS 330/2.5 new)

Sec. 2.5. Limitation on issuance of Bonds.

(a) Except as provided in subsection (b), no Bonds may be issued if, after the issuance, in the next State fiscal year after the issuance of the Bonds, the amount of debt service (including principal, whether payable at maturity or pursuant to mandatory sinking fund installments, and interest) on all then-outstanding Bonds would exceed 7% of the aggregate appropriations from the general funds (which consist of the General Revenue Fund, the Common School Fund, the General Revenue Common School Special Account Fund, and the Education Assistance Fund) and the Road Fund for the fiscal year immediately prior to the fiscal year of the issuance.

(b) If the Comptroller and Treasurer each consent in writing, Bonds may be issued even if the issuance does not comply with subsection (a).

(30 ILCS 330/8) (from Ch. 127, par. 658)

Sec. 8. Bond sale expenses; ~~capitalized interest.~~

(a) An amount not to exceed 0.5 percent of the principal amount of the proceeds of sale of each bond sale is authorized to be used to pay the reasonable costs of issuance and sale, including, without limitation, underwriter's discounts and fees, but excluding bond insurance, of State of Illinois general obligation bonds authorized and sold pursuant to this Act, provided that no salaries of State employees or other State office operating expenses shall be paid out of non-appropriated proceeds. The Governor's Office of Management and Budget shall compile a summary of all costs of issuance on each sale (including both costs paid out of proceeds and those paid out of appropriated funds) and post that summary on its web site within 20 business days after the issuance of the Bonds. The summary shall include, as applicable, the respective percentages of participation and compensation of each underwriter that is a member of the underwriting syndicate, legal counsel, financial advisors, and other professionals for the bond issue and an identification of all costs of issuance paid to minority owned businesses, female owned businesses, and businesses owned by persons with disabilities. The terms "minority owned businesses", "female owned businesses", and "business owned by a person with a disability" have the meanings given to those terms in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act. That posting shall be maintained on the web site for a period of at least 30 days. In addition, the Governor's Office of Management and Budget shall provide a written copy of each summary of costs to the Speaker and Minority Leader of the House of Representatives, the President and Minority Leader of the Senate, and the Illinois Economic and Fiscal Commission within 20 business days after each issuance of the Bonds. In addition, the Governor's Office of Management and Budget shall provide copies of all contracts under which any costs of issuance are paid or to be paid to the Illinois Economic and Fiscal Commission within 20 business days after the issuance of Bonds for which those costs are paid or to be paid. Instead of filing a second or subsequent copy of the same contract, the Governor's Office of Management and Budget may file a statement that specified costs are paid under specified contracts filed earlier with the Commission.

(b) The Director of the Governor's Office of Management and Budget shall not, in connection with the issuance of Bonds, contract with any underwriter, financial advisor, or attorney unless that underwriter, financial advisor, or attorney certifies that the underwriter, financial advisor, or attorney has not and will not pay a contingent fee, whether directly or indirectly, to a third party for having promoted the selection of the underwriter, financial advisor, or attorney for that contract. In the event that the Governor's Office of Management and Budget determines that an underwriter, financial advisor, or attorney has filed a false certification with respect to the payment of contingent fees, the Governor's Office of Management and Budget shall not contract with that underwriter, financial advisor, or attorney, or with any firm employing any person who signed false certifications, for a period of 2 calendar years, beginning with the date the determination is made. The validity of Bonds issued under such circumstances of violation pursuant to this Section shall not be affected. ~~The Bond Sale Order may provide for a portion of the proceeds of the bond sale, representing up to 12 months' interest on the bonds, to be deposited directly into the capitalized interest account of the General Obligation Bond Retirement and Interest Fund.~~

(Source: P.A. 93-2, eff. 4-7-03.)

(30 ILCS 330/9) (from Ch. 127, par. 659)

Sec. 9. Conditions for Issuance and Sale of Bonds - Requirements for Bonds.

(a) Except as otherwise provided in this subsection, Bonds ~~Bonds~~ shall be issued and sold from time to time, in one or more series, in such amounts and at such prices as may be directed by the Governor, upon recommendation by the Director of the Governor's Office of Management and Budget. Bonds

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shall be in such form (either coupon, registered or book entry), in such denominations, payable within ~~25~~ 30 years from their date, subject to such terms of redemption with or without premium, bear interest payable at such times and at such fixed or variable rate or rates, and be dated as shall be fixed and determined by the Director of the Governor's Office of Management and Budget in the order authorizing the issuance and sale of any series of Bonds, which order shall be approved by the Governor and is herein called a "Bond Sale Order"; provided however, that interest payable at fixed or variable rates shall not exceed that permitted in the Bond Authorization Act, as now or hereafter amended. Bonds shall be payable at such place or places, within or without the State of Illinois, and may be made registrable as to either principal or as to both principal and interest, as shall be specified in the Bond Sale Order. Bonds may be callable or subject to purchase and retirement or tender and remarketing as fixed and determined in the Bond Sale Order. Bonds must be issued with principal or mandatory redemption amounts in equal amounts, with the first maturity issued occurring within the fiscal year in which the Bonds are issued or within the next succeeding fiscal year, with Bonds issued maturing or subject to mandatory redemption each fiscal year thereafter up to 25 years.

In the case of any series of Bonds bearing interest at a variable interest rate ("Variable Rate Bonds"), in lieu of determining the rate or rates at which such series of Variable Rate Bonds shall bear interest and the price or prices at which such Variable Rate Bonds shall be initially sold or remarketed (in the event of purchase and subsequent resale), the Bond Sale Order may provide that such interest rates and prices may vary from time to time depending on criteria established in such Bond Sale Order, which criteria may include, without limitation, references to indices or variations in interest rates as may, in the judgment of a remarketing agent, be necessary to cause Variable Rate Bonds of such series to be remarketable from time to time at a price equal to their principal amount, and may provide for appointment of a bank, trust company, investment bank, or other financial institution to serve as remarketing agent in that connection. The Bond Sale Order may provide that alternative interest rates or provisions for establishing alternative interest rates, different security or claim priorities, or different call or amortization provisions will apply during such times as Variable Rate Bonds of any series are held by a person providing credit or liquidity enhancement arrangements for such Bonds as authorized in subsection (b) of this Section. The Bond Sale Order may also provide for such variable interest rates to be established pursuant to a process generally known as an auction rate process and may provide for appointment of one or more financial institutions to serve as auction agents and broker-dealers in connection with the establishment of such interest rates and the sale and remarketing of such Bonds.

(b) In connection with the issuance of any series of Bonds, the State may enter into arrangements to provide additional security and liquidity for such Bonds, including, without limitation, bond or interest rate insurance or letters of credit, lines of credit, bond purchase contracts, or other arrangements whereby funds are made available to retire or purchase Bonds, thereby assuring the ability of owners of the Bonds to sell or redeem their Bonds. The State may enter into contracts and may agree to pay fees to persons providing such arrangements, but only under circumstances where the Director of the Governor's Office of Management and Budget certifies that he or she reasonably expects the total interest paid or to be paid on the Bonds, together with the fees for the arrangements (being treated as if interest), would not, taken together, cause the Bonds to bear interest, calculated to their stated maturity, at a rate in excess of the rate that the Bonds would bear in the absence of such arrangements.

The State may, with respect to Bonds issued or anticipated to be issued, participate in and enter into arrangements with respect to interest rate protection or exchange agreements, guarantees, or financial futures contracts for the purpose of limiting, reducing, or managing interest rate exposure. The authority granted under this paragraph, however, shall not increase the principal amount of Bonds authorized to be issued by law. The arrangements may be executed and delivered by the Director of the Governor's Office of Management and Budget on behalf of the State. Net payments for such arrangements shall constitute interest on the Bonds and shall be paid from the General Obligation Bond Retirement and Interest Fund. The Director of the Governor's Office of Management and Budget shall at least annually certify to the Governor and the State Comptroller his or her estimate of the amounts of such net payments to be included in the calculation of interest required to be paid by the State.

(c) Prior to the issuance of any Variable Rate Bonds pursuant to subsection (a), the Director of the Governor's Office of Management and Budget shall adopt an interest rate risk management policy providing that the amount of the State's variable rate exposure with respect to Bonds shall not exceed 20%. This policy shall remain in effect while any Bonds are outstanding and the issuance of Bonds shall be subject to the terms of such policy. The terms of this policy may be amended from time to time by the Director of the Governor's Office of Management and Budget but in no event shall any

amendment cause the permitted level of the State's variable rate exposure with respect to Bonds to exceed 20%.

(Source: P.A. 92-16, eff. 6-28-01; 93-9, eff. 6-3-03; 93-666, eff. 3-5-04.)

(30 ILCS 330/11) (from Ch. 127, par. 661)

Sec. 11. Sale of Bonds. Except as otherwise provided in this Section, Bonds shall be sold from time to time pursuant to notice of sale and public bid or by negotiated sale in such amounts and at such times as is directed by the Governor, upon recommendation by the Director of the Governor's Office of Management and Budget. At least 25%, based on total principal amount, of all Bonds issued each fiscal year shall be sold pursuant to notice of sale and public bid. At all times during each fiscal year, no more than 75%, based on total principal amount, of the Bonds issued each fiscal year, shall have been sold by negotiated sale. Failure to satisfy the requirements in the preceding 2 sentences shall not affect the validity of any previously issued Bonds ~~Bureau of the Budget~~.

If any Bonds, including refunding Bonds, are to be sold by negotiated sale, the Director of the Governor's Office of Management and Budget ~~Bureau of the Budget~~ shall comply with the competitive request for proposal process set forth in the Illinois Procurement Code and all other applicable requirements of that Code.

If Bonds are to be sold pursuant to notice of sale and public bid, the Director of the Governor's Office of Management and Budget ~~Bureau of the Budget~~ shall, from time to time, as Bonds are to be sold, advertise the sale of the Bonds in at least ~~2~~ two daily newspapers, one of which is published in the City of Springfield and one in the City of Chicago. The sale of the Bonds shall also be advertised in the volume of the Illinois Procurement Bulletin that is published by the Department of Central Management Services. Each of the advertisements for proposals shall be published once at least 10 days prior to the date fixed for the opening of the bids. The Director of the Governor's Office of Management and Budget ~~Bureau of the Budget~~ may reschedule the date of sale upon the giving of such additional notice as the Director deems adequate to inform prospective bidders of such change; provided, however, that all other conditions of the sale shall continue as originally advertised.

Executed Bonds shall, upon payment therefor, be delivered to the purchaser, and the proceeds of Bonds shall be paid into the State Treasury as directed by Section 12 of this Act.

(Source: P.A. 91-39, eff. 6-15-99; revised 8-23-03.)

(30 ILCS 330/15.5 new)

Sec. 15.5. Compliance with the Business Enterprise for Minorities, Females, and Persons with Disabilities Act. Notwithstanding any other provision of law, the Governor's Office of Management and Budget shall comply with the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

(30 ILCS 330/16) (from Ch. 127, par. 666)

Sec. 16. Refunding Bonds. The State of Illinois is authorized to issue, sell, and provide for the retirement of General Obligation Bonds of the State of Illinois in the amount of \$2,839,025,000, at any time and from time to time outstanding, for the purpose of refunding any State of Illinois general obligation Bonds then outstanding, including the payment of any redemption premium thereon, any reasonable expenses of such refunding, any interest accrued or to accrue to the earliest or any subsequent date of redemption or maturity of such outstanding Bonds and any interest to accrue to the first interest payment on the refunding Bonds; provided that all non-refunding Bonds in an issue that includes such refunding Bonds shall mature no later than the final maturity date of Bonds being refunded ; provided that no refunding Bonds shall be offered for sale unless the net present value of debt service savings to be achieved by the issuance of the refunding Bonds is 3% or more of the principal amount of the refunding Bonds to be issued; and further provided that the maturities of the refunding Bonds shall not extend beyond the maturities of the Bonds they refund, so that for each fiscal year in the maturity schedule of a particular issue of refunding Bonds, the total amount of refunding principal maturing and redemption amounts due in that fiscal year and all prior fiscal years in that schedule shall be greater than or equal to the total amount of refunded principal and redemption amounts that had been due over that year and all prior fiscal years prior to the refunding.

~~Refunding Bonds may be sold from time to time pursuant to notice of sale and public bid or by negotiated sale in such amounts and at such times, as directed by the Governor, upon recommendation by the Director of the Bureau of the Budget. The Governor shall notify the State Treasurer and Comptroller of such refunding. The proceeds received from the sale of refunding Bonds shall be used for the retirement at maturity or redemption of such outstanding Bonds on any maturity or redemption date and, pending such use, shall be placed in escrow, subject to such terms and conditions as shall be provided for in the Bond Sale Order relating to the Refunding Bonds. Proceeds not needed for deposit in an escrow account shall be deposited in the General Obligation Bond Retirement and Interest Fund.~~

This Act shall constitute an irrevocable and continuing appropriation of all amounts necessary to establish an escrow account for the purpose of refunding outstanding general obligation Bonds and to pay the reasonable expenses of such refunding and of the issuance and sale of the refunding Bonds. Any such escrowed proceeds may be invested and reinvested in direct obligations of the United States of America, maturing at such time or times as shall be appropriate to assure the prompt payment, when due, of the principal of and interest and redemption premium, if any, on the refunded Bonds. After the terms of the escrow have been fully satisfied, any remaining balance of such proceeds and interest, income and profits earned or realized on the investments thereof shall be paid into the General Revenue Fund. The liability of the State upon the Bonds shall continue, provided that the holders thereof shall thereafter be entitled to payment only out of the moneys deposited in the escrow account.

Except as otherwise herein provided in this Section, such refunding Bonds shall in all other respects be subject to the terms and conditions of this Act.

(Source: P.A. 91-39, eff. 6-15-99; 91-53, eff. 6-30-99; 91-710, eff. 5-17-00; revised 8-23-03.)

(30 ILCS 330/21 new)

Sec. 21. Truth in borrowing disclosures.

(a) Within 20 business days after the issuance of any Bonds under this Act, the Director of the Governor's Office of Management and Budget shall publish a truth in borrowing disclosure that discloses the total principal and interest payments to be paid on the Bonds over the full stated term of the Bonds. The disclosure also shall include principal and interest payments to be made by each fiscal year over the full stated term of the Bonds and total principal and interest payments to be made by each fiscal year on all other outstanding Bonds issued under this Act over the full stated terms of those Bonds.

(b) Within 20 business days after the issuance of any refunding bonds under Section 16 of this Act, the Director of the Governor's Office of Management and Budget shall publish a truth in borrowing disclosure that discloses the estimated present-valued savings to be obtained through the refunding, in total and by each fiscal year that the refunding Bonds may be outstanding.

(c) The disclosures required in subsections (a) and (b) shall be published by posting the disclosures for no less than 30 days on the web site of the Governor's Office of Management and Budget and by providing the disclosures in written form to the Illinois Economic and Fiscal Commission. These disclosures shall be calculated assuming Bonds are not redeemed or refunded prior to their stated maturities. Amounts included in these disclosures as payment of interest on variable rate Bonds shall be computed at an interest rate equal to the rate at which the variable rate Bonds are first set upon issuance, plus 2.5%, after taking into account any credits permitted in the related indenture or other instrument against the amount of such interest for each fiscal year. Amounts included in these disclosures as payment of interest on variable rate Bonds shall include the amounts certified by the Director of the Governor's Office of Management and Budget under subsection (b) of Section 9 of this Act.

Section 10-115. The Metropolitan Civic Center Support Act is amended by changing Section 14 as follows:

(30 ILCS 355/14) (from Ch. 85, par. 1397g)

Sec. 14. (a) To provide for the manner of repayment of Bonds, the Governor shall include an appropriation in each annual State Budget of monies in such amount as shall be necessary and sufficient, for the period covered by such budget, to pay the interest, as it shall accrue, on all Bonds issued under this Act, to pay and discharge the principal of such Bonds as shall, by their terms fall due during such period and to pay a premium, if any, on Bonds to be redeemed prior to the maturity date and to replenish any reserve fund as may be required under any trust indenture.

(b) A separate fund in the State Treasury called the "Illinois Civic Center Bond Retirement and Interest Fund" is hereby created.

(c) The Governor's Office of Management and Budget Department shall pay subject to annual appropriation by the General Assembly the principal of, interest on, and premium, if any, on Bonds sold under this Act from the Bond Retirement Fund.

(Source: P.A. 84-245.)

Section 10-120. The Build Illinois Bond Act is amended by changing Sections 3, 5, 6, 8, 9, and 15 and by adding Sections 8.3 and 8.5 as follows:

(30 ILCS 425/3) (from Ch. 127, par. 2803)

Sec. 3. Findings. The General Assembly hereby makes the following findings and determinations:

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(a) The issuance and sale of Bonds pursuant to this Act is an economical and efficient method of financing long-term capital needs, including certain of the purposes of the State, as set forth in Section 4 hereof.

(b) This Act will permit the issuance of Bonds, from time to time, for various purposes and with varying terms, features and conditions in order to enhance marketability and lower interest costs incurred by the State. Subsection (a) of Section 6 of this Act authorizes the issuance, from time to time, of Bonds in one or more series, in such principal amounts, bearing interest at such fixed rates or variable rates and having such other terms and provisions as designated State officers may fix and determine pursuant to the authority delegated under this Act. Subsection (b) of Section 6 of this Act authorizes, in connection with the issuance of and as security for any series of Bonds, the purchase of bond or interest rate insurance, the establishment of credit and liquidity enhancement arrangements with financial institutions, and participation in interest rate swaps or guarantee agreements or other arrangements to limit interest rate risk.

(c) The financing of the facilities and other purposes described in Section 4 of this Act through the issuance of Bonds will involve numerous expenditures over extended periods of time, all of which expenditures shall be made only pursuant to and in conformity with appropriations from Bond proceeds by the General Assembly prior to the making of such expenditures.

(d) Determinations with respect to (i) advantageous timing and amounts of such expenditures for particular approved facilities or purposes, (ii) establishing an advantageous mix of short-term and long-term debt instruments under bond market conditions prevailing from time to time, and (iii) specific allocations of Bond proceeds to particular facilities and purposes should be based upon financial, engineering and construction management judgments made from time to time.

(e) The State's ability to issue Bonds from time to time, without further action by the General Assembly, in separate series, in various principal amounts and with various interest rates, maturities, redemption provisions and other terms will enhance the State's opportunities to obtain such financing as needed, upon favorable terms.

In order to provide for flexibility in meeting the financial, engineering and construction needs of the State and its agencies and departments and in order to provide continuing and adequate financing for the aforesaid purposes on favorable terms, the delegations of authority to the Governor, the Director of the Governor's Office of Management and Budget ~~Bureau of the Budget~~, the State Comptroller, the State Treasurer and other officers of the State which are contained in this Act are necessary and desirable because this General Assembly cannot itself as understandingly, advantageously, expeditiously or conveniently exercise such authority and make such specific determinations.

(Source: P.A. 84-111; revised 8-23-03.)

(30 ILCS 425/5) (from Ch. 127, par. 2805)

Sec. 5. Bond Sale Expenses.

(a) An amount not to exceed 0.5% of the principal amount of the proceeds of the sale of each bond sale is authorized to be used to pay necessary to pay the reasonable costs of each issuance and sale of Bonds authorized and sold pursuant to this Act, including , without limitation, underwriter's discounts and fees, but excluding bond insurance, advertising, printing, bond rating, travel of outside vendors, security, delivery, legal and financial advisory services, insurance, initial fees of trustees, registrars, paying agents and other fiduciaries, initial costs of credit or liquidity enhancement arrangements, initial fees of indexing and remarketing agents, and initial costs of interest rate swaps, guarantees or arrangements to limit interest rate risk, as determined in the related Bond Sale Order, is hereby authorized to be paid from the proceeds of each Bond sale , provided that no salaries of State employees or other State office operating expenses shall be paid out of non-appropriated proceeds. The Governor's Office of Management and Budget shall compile a summary of all costs of issuance on each sale (including both costs paid out of proceeds and those paid out of appropriated funds) and post that summary on its web site within 20 business days after the issuance of the bonds. That posting shall be maintained on the web site for a period of at least 30 days. In addition, the Governor's Office of Management and Budget shall provide a written copy of each summary of costs to the Speaker and Minority Leader of the House of Representatives, the President and Minority Leader of the Senate, and the Illinois Economic and Fiscal Commission within 20 business days after each issuance of the bonds. This summary shall include, as applicable, the respective percentage of participation and compensation of each underwriter that is a member of the underwriting syndicate, legal counsel, financial advisors, and other professionals for the Bond issue, and an identification of all costs of issuance paid to minority owned businesses, female owned businesses, and businesses owned by persons with disabilities. The terms "minority owned businesses", "female owned businesses", and "business owned by a person with a disability" have the meanings given to those terms in the Business

Enterprise for Minorities, Females, and Persons with Disabilities Act. In addition, the Governor's Office of Management and Budget shall provide copies of all contracts under which any costs of issuance are paid or to be paid to the Illinois Economic and Fiscal Commission within 20 business days after the issuance of Bonds for which those costs are paid or to be paid. Instead of filing a second or subsequent copy of the same contract, the Governor's Office of Management and Budget may file a statement that specified costs are paid under specified contracts filed earlier with the Commission.

(b) The Director of the Governor's Office of Management and Budget shall not, in connection with the issuance of Bonds, contract with any underwriter, financial advisor, or attorney unless that underwriter, financial advisor, or attorney certifies that the underwriter, financial advisor, or attorney has not and will not pay a contingent fee, whether directly or indirectly, to any third party for having promoted the selection of the underwriter, financial advisor, or attorney for that contract. In the event that the Governor's Office of Management and Budget determines that an underwriter, financial advisor, or attorney has filed a false certification with respect to the payment of contingent fees, the Governor's Office of Management and Budget shall not contract with that underwriter, financial advisor, or attorney, or with any firm employing any person who signed false certifications, for a period of 2 calendar years, beginning with the date the determination is made. The validity of Bonds issued under such circumstances of violation pursuant to this Section shall not be affected.

(Source: P.A. 84-111.)

(30 ILCS 425/6) (from Ch. 127, par. 2806)

Sec. 6. Conditions for Issuance and Sale of Bonds - Requirements for Bonds - Master and Supplemental Indentures - Credit and Liquidity Enhancement. (a) Bonds shall be issued and sold from time to time, in one or more series, in such amounts and at such prices as directed by the Governor, upon recommendation by the Director of the Governor's Office of Management and Budget Bureau of the Budget. Bonds shall be payable only from the specific sources and secured in the manner provided in this Act. Bonds shall be in such form, in such denominations, mature on such dates within 25 30 years from their date of issuance, be subject to optional or mandatory redemption, bear interest payable at such times and at such rate or rates, fixed or variable, and be dated as shall be fixed and determined by the Director of the Governor's Office of Management and Budget Bureau of the Budget in an order authorizing the issuance and sale of any series of Bonds, which order shall be approved by the Governor and is herein called a "Bond Sale Order"; provided, however, that interest payable at fixed rates shall not exceed that permitted in "An Act to authorize public corporations to issue bonds, other evidences of indebtedness and tax anticipation warrants subject to interest rate limitations set forth therein", approved May 26, 1970, as now or hereafter amended, and interest payable at variable rates shall not exceed the maximum rate permitted in the Bond Sale Order. Said Bonds shall be payable at such place or places, within or without the State of Illinois, and may be made registrable as to either principal only or as to both principal and interest, as shall be specified in the Bond Sale Order. Bonds may be callable or subject to purchase and retirement or remarketing as fixed and determined in the Bond Sale Order. Bonds must be issued with principal or mandatory redemption amounts in equal amounts, with the first maturity issued occurring within the fiscal year in which the Bonds are issued or within the next succeeding fiscal year, with Bonds issued maturing or subject to mandatory redemption each fiscal year thereafter up to 25 years.

All Bonds authorized under this Act shall be issued pursuant to a master trust indenture ("Master Indenture") executed and delivered on behalf of the State by the Director of the Governor's Office of Management and Budget Bureau of the Budget, such Master Indenture to be in substantially the form approved in the Bond Sale Order authorizing the issuance and sale of the initial series of Bonds issued under this Act. Such initial series of Bonds may, and each subsequent series of Bonds shall, also be issued pursuant to a supplemental trust indenture ("Supplemental Indenture") executed and delivered on behalf of the State by the Director of the Governor's Office of Management and Budget Bureau of the Budget, each such Supplemental Indenture to be in substantially the form approved in the Bond Sale Order relating to such series. The Master Indenture and any Supplemental Indenture shall be entered into with a bank or trust company in the State of Illinois having trust powers and possessing capital and surplus of not less than \$100,000,000. Such indentures shall set forth the terms and conditions of the Bonds and provide for payment of and security for the Bonds, including the establishment and maintenance of debt service and reserve funds, and for other protections for holders of the Bonds. The term "reserve funds" as used in this Act shall include funds and accounts established under indentures to provide for the payment of principal of and premium and interest on Bonds, to provide for the purchase, retirement or defeasance of Bonds, to provide for fees of trustees, registrars, paying agents and other fiduciaries and to provide for payment of costs of and debt service payable in respect of credit or liquidity enhancement arrangements, interest rate swaps or guarantees

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or financial futures contracts and indexing and remarketing agents' services.

In the case of any series of Bonds bearing interest at a variable interest rate ("Variable Rate Bonds"), in lieu of determining the rate or rates at which such series of Variable Rate Bonds shall bear interest and the price or prices at which such Variable Rate Bonds shall be initially sold or remarketed (in the event of purchase and subsequent resale), the Bond Sale Order may provide that such interest rates and prices may vary from time to time depending on criteria established in such Bond Sale Order, which criteria may include, without limitation, references to indices or variations in interest rates as may, in the judgment of a remarketing agent, be necessary to cause Bonds of such series to be remarketable from time to time at a price equal to their principal amount (or compound accreted value in the case of original issue discount Bonds), and may provide for appointment of indexing agents and a bank, trust company, investment bank or other financial institution to serve as remarketing agent in that connection. The Bond Sale Order may provide that alternative interest rates or provisions for establishing alternative interest rates, different security or claim priorities or different call or amortization provisions will apply during such times as Bonds of any series are held by a person providing credit or liquidity enhancement arrangements for such Bonds as authorized in subsection (b) of Section 6 of this Act.

(b) In connection with the issuance of any series of Bonds, the State may enter into arrangements to provide additional security and liquidity for such Bonds, including, without limitation, bond or interest rate insurance or letters of credit, lines of credit, bond purchase contracts or other arrangements whereby funds are made available to retire or purchase Bonds, thereby assuring the ability of owners of the Bonds to sell or redeem their Bonds. The State may enter into contracts and may agree to pay fees to persons providing such arrangements, but only under circumstances where the Director of the Bureau of the Budget (now Governor's Office of Management and Budget) certifies that he reasonably expects the total interest paid or to be paid on the Bonds, together with the fees for the arrangements (being treated as if interest), would not, taken together, cause the Bonds to bear interest, calculated to their stated maturity, at a rate in excess of the rate which the Bonds would bear in the absence of such arrangements. Any bonds, notes or other evidences of indebtedness issued pursuant to any such arrangements for the purpose of retiring and discharging outstanding Bonds shall constitute refunding Bonds under Section 15 of this Act. The State may participate in and enter into arrangements with respect to interest rate swaps or guarantees or financial futures contracts for the purpose of limiting or restricting interest rate risk; provided that such arrangements shall be made with or executed through banks having capital and surplus of not less than \$100,000,000 or insurance companies holding the highest policyholder rating accorded insurers by A.M. Best & Co. or any comparable rating service or government bond dealers reporting to, trading with, and recognized as primary dealers by a Federal Reserve Bank and having capital and surplus of not less than \$100,000,000, or other persons whose debt securities are rated in the highest long-term categories by both Moody's Investors' Services, Inc. and Standard & Poor's Corporation. Agreements incorporating any of the foregoing arrangements may be executed and delivered by the Director of the Governor's Office of Management and Budget ~~Bureau of the Budget~~ on behalf of the State in substantially the form approved in the Bond Sale Order relating to such Bonds.

(Source: P.A. 84-111; revised 8-23-03.)

(30 ILCS 425/8) (from Ch. 127, par. 2808)

Sec. 8. Sale of Bonds. Bonds, except as otherwise provided in this Section, shall be sold from time to time pursuant to notice of sale and public bid or by negotiated sale in such amounts and at such times as are directed by the Governor, upon recommendation by the Director of the Governor's Office of Management and Budget. At least 25%, based on total principal amount, of all Bonds issued each fiscal year shall be sold pursuant to notice of sale and public bid. At all times during each fiscal year, no more than 75%, based on total principal amount, of the Bonds issued each fiscal year shall have been sold by negotiated sale. Failure to satisfy the requirements in the preceding 2 sentences shall not affect the validity of any previously issued Bonds.

If any Bonds are to be sold pursuant to notice of sale and public bid, the Director of the Governor's Office of Management and Budget shall comply with the competitive request for proposal process set forth in the Illinois Procurement Code and all other applicable requirements of that Code.

If Bonds are to be sold pursuant to notice of sale and public bid, the Director of the Governor's Office of Management and Budget shall, from time to time, as Bonds are to be sold, advertise the sale of the Bonds in at least 2 daily newspapers, one of which is published in the City of Springfield and one in the City of Chicago. The sale of the Bonds shall also be advertised in the volume of the Illinois Procurement Bulletin that is published by the Department of Central Management Services. Each of the advertisements for proposals shall be published once at least 10 days prior to the date fixed for the

opening of the bids. The Director of the Governor's Office of Management and Budget may reschedule the date of sale upon the giving of such additional notice as the Director deems adequate to inform prospective bidders of the change; provided, however, that all other conditions of the sale shall continue as originally advertised. Bonds shall be sold from time to time pursuant to advertised notice of sale and public bid or by negotiated sale as the Director of the Bureau of the Budget shall, in his sole discretion, determine in order to market the Bonds in an economic, effective manner. Executed Bonds shall, upon payment therefor, be delivered to the purchaser, and the proceeds of Bonds shall be paid into the State Treasury as directed by Section 9 of this Act. The Governor or the Director of the Governor's Office of Management and Budget ~~Bureau of the Budget~~ is hereby authorized and directed to execute and deliver contracts of sale with underwriters and to execute and deliver such certificates, indentures, agreements and documents, including any supplements or amendments thereto, and to take such actions and do such things as shall be necessary or desirable to carry out the purposes of this Act. Any action authorized or permitted to be taken by the Director of the Governor's Office of Management and Budget Bureau of the Budget pursuant to this Act is hereby authorized to be taken by any person specifically designated by the Governor to take such action in a certificate signed by the Governor and filed with the Secretary of State.

(Source: P.A. 84-111; revised 8-23-03.)

(30 ILCS 425/8.3 new)

Sec. 8.3. Compliance with the Business Enterprise for Minorities, Females, and Persons with Disabilities Act. Notwithstanding any other provision of law, the Governor's Office of Management and Budget shall comply with the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

(30 ILCS 425/8.5 new)

Sec. 8.5. Truth in borrowing disclosures.

(a) Within 20 business days after the issuance of any Bonds under this Act, the Director of the Governor's Office of Management and Budget shall publish a truth in borrowing disclosure that discloses the total principal and interest payments to be paid on the Bonds over the full stated term of the Bonds. The disclosure also shall include principal and interest payments to be made by each fiscal year over the full stated term of the Bonds and total principal and interest payments to be made by each fiscal year on all other outstanding Bonds issued under this Act over the full stated terms of those Bonds.

(b) Within 20 business days after the issuance of any refunding bonds under Section 15 of this Act, the Director of the Governor's Office of Management and Budget shall publish a truth in borrowing disclosure that discloses the estimated present-valued savings to be obtained through the refunding, in total and by each fiscal year that the refunding Bonds may be outstanding.

(c) The disclosures required in subsections (a) and (b) shall be published by posting the disclosures for no less than 30 days on the web site of the Governor's Office of Management and Budget and by providing the disclosures in written form to the Illinois Economic and Fiscal Commission. These disclosures shall be calculated assuming Bonds are not redeemed or refunded prior to their stated maturities. Amounts included in these disclosures as payment of interest on variable rate Bonds shall be computed at an interest rate equal to the rate at which the variable rate Bonds are first set upon issuance, plus 2.5%, after taking into account any credits permitted in the related indenture or other instrument against the amount of such interest for each fiscal year. Amounts included in these disclosure as payments of interest shall include those amounts paid pursuant to arrangements authorized pursuant to subsection (b) of Section 6 of this Act.

(30 ILCS 425/9) (from Ch. 127, par. 2809)

Sec. 9. Allocation of Proceeds from Sale of Bonds. Proceeds from the sale of Bonds (other than refunding Bonds) shall be deposited in the separate fund in the State Treasury known as the Build Illinois Bond Fund and shall be expended only pursuant to appropriation by the General Assembly. Proceeds to be deposited into any debt service or reserve funds as may be required under any trust indenture shall be paid from the Build Illinois Bond Fund to the trustee under the trust indenture specified in the Bond Sale Order at the time of the delivery of the Bonds ~~and proceeds to be used to pay expenses of issuance and sale shall be paid from the Build Illinois Bond Fund~~ as directed in the Bond Sale Order. Accrued interest paid to the State at the time of the delivery of any series of Bonds shall be deposited into the Build Illinois Bond Retirement and Interest Fund in the State Treasury and shall be paid immediately from that Fund to the trustee under the trust indenture specified in the Bond Sale Order.

(Source: P.A. 86-44.)

(30 ILCS 425/15) (from Ch. 127, par. 2815)

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Sec. 15. Refunding Bonds. Refunding Bonds are hereby authorized for the purpose of refunding any outstanding Bonds, including the payment of any redemption premium thereon, any reasonable expenses of such refunding, and any interest accrued or to accrue to the earliest or any subsequent date of redemption or maturity of outstanding Bonds; provided that all non-refunding Bonds in an issue that includes such refunding Bonds shall mature no later than the final maturity date of Bonds being refunded; provided that no refunding Bonds shall be offered for sale unless the net present value of debt service savings to be achieved by the issuance of the refunding Bonds is 3% or more of the principal amount of the refunding Bonds to be issued; and further provided that the maturities of the refunding Bonds shall not extend beyond the maturities of the Bonds they refund, so that for each fiscal year in the maturity schedule of a particular issue of refunding Bonds, the total amount of refunding principal maturing and redemption amounts due in that fiscal year and all prior fiscal years in that schedule shall be greater than or equal to the total amount of refunded principal and redemption amounts that had been due over that year and all prior fiscal years prior to the refunding.

Refunding Bonds may be sold in such amounts and at such times, as directed by the Governor upon recommendation by the Director of the Governor's Office of Management and Budget Bureau of the Budget. The Governor shall notify the State Treasurer and Comptroller of such refunding. The proceeds received from the sale of refunding Bonds shall be used for the retirement at maturity or redemption of such outstanding Bonds on any maturity or redemption date and, pending such use, shall be placed in escrow, subject to such terms and conditions as shall be provided for in the Bond Sale Order relating to the refunding Bonds. This Act shall constitute an irrevocable and continuing appropriation of all amounts necessary to establish an escrow account for the purpose of refunding outstanding Bonds and to pay the reasonable expenses of such refunding and of the issuance and sale of the refunding Bonds. Any such escrowed proceeds may be invested and reinvested in direct obligations of the United States of America, maturing at such time or times as shall be appropriate to assure the prompt payment, when due, of the principal of and interest and redemption premium, if any, on the refunded Bonds. After the terms of the escrow have been fully satisfied, any remaining balance of such proceeds and interest, income and profits earned or realized on the investments thereof shall be paid into the General Revenue Fund. The liability of the State upon the refunded Bonds shall continue, provided that the holders thereof shall thereafter be entitled to payment only out of the moneys deposited in the escrow account and the refunded Bonds shall be deemed paid, discharged and no longer to be outstanding.

Except as otherwise herein provided in this Section, such refunding Bonds shall in all other respects be issued pursuant to and subject to the terms and conditions of this Act and shall be secured by and payable from only the funds and sources which are provided under this Act.
(Source: P.A. 84-111; revised 8-23-03.)

Section 10-130. The Illinois Procurement Code is amended by changing Sections 5-5, 5-25, and 40-15 and by adding Sections 5-30, 20-150, 25-200, 30-150, 35-150, 40-55, 40-150, and 53-150 as follows:

(30 ILCS 500/5-5)

Sec. 5-5. Procurement Policy Board.

(a) Creation. There is created a Procurement Policy Board, an agency of the State of Illinois.

(b) Authority and duties. The Board shall have the authority and responsibility to review, comment upon, and recommend, consistent with this Code, rules and practices governing the procurement, management, control, and disposal of supplies, services, professional or artistic services, construction, and real property and capital improvement leases procured by the State.

Upon a three-fifths vote of its members, the Board may review a contract. Upon a three-fifths vote of its members, the Board may propose procurement rules for consideration by chief procurement officers. These proposals shall be published in each volume of the Procurement Bulletin. Except as otherwise provided by law, the Board shall act upon the vote of a majority of its members who have been appointed and are serving.

(b-5) Reviews, studies, and hearings. The Board may review, study, and hold public hearings concerning the implementation and administration of this Code. Each chief procurement officer, associate procurement officer, State purchasing officer, and State agency shall cooperate with the Board, provide information to the Board, and be responsive to the Board in the Board's conduct of its reviews, studies, and hearings.

(c) Members. The Board shall consist of 5 members appointed one each by the 4 legislative leaders and the Governor. Each member shall have demonstrated sufficient business or professional experience in the area of procurement to perform the functions of the Board. No member may be a

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member of the General Assembly.

(d) Terms. Of the initial appointees, the Governor shall designate one member, as Chairman, to serve a one-year term, the President of the Senate and the Speaker of the House shall each appoint one member to serve 3-year terms, and the Minority Leader of the House and the Minority Leader of the Senate shall each appoint one member to serve 2-year terms. Subsequent terms shall be 4 years. Members may be reappointed for succeeding terms.

(e) Reimbursement. Members shall receive no compensation but shall be reimbursed for any expenses reasonably incurred in the performance of their duties.

(f) Staff support. Upon a three-fifths vote of its members, the Board may employ an executive director. Subject to appropriation, the Board also may employ a reasonable and necessary number of ~~have up to 3~~ staff persons. ~~Other support services shall be provided by the chief procurement officers.~~

(g) Meetings. Meetings of the Board may be conducted telephonically, electronically, or through the use of other telecommunications. Written minutes of such meetings shall be created and available for public inspection and copying.

(Source: P.A. 90-572, eff. date - See Sec. 99-5.)

(30 ILCS 500/5-25)

Sec. 5-25. Rulemaking authority; agency policy; agency response.

(a) Rulemaking. A State agency authorized to make procurements under this Code shall have the authority to promulgate rules to carry out that authority. That rulemaking on specific procurement topics is mentioned in specific Sections of this Code shall not be construed as prohibiting or limiting rulemaking on other procurement topics.

All rules shall be promulgated in accordance with the Illinois Administrative Procedure Act. Contractual provisions, specifications, and procurement descriptions are not rules and are not subject to the Illinois Administrative Procedure Act. All rules other than those promulgated by the Board shall be presented in writing to the Board for its review and comment. The Board shall express its opinions and recommendations in writing. Both the proposed rules and Board recommendations shall be made available for public review. The rules shall also be approved by the applicable chief procurement officer and the Joint Committee on Administrative Rules.

(b) Policy. Each chief procurement officer, associate procurement officer, and State agency shall promptly notify the Procurement Policy Board in writing of any proposed new procurement rule or policy or any proposed change in an existing procurement rule or policy.

(c) Response. Each State agency must respond promptly in writing to all inquiries and comments of the Procurement Policy Board.

(Source: P.A. 90-572, eff. date - See Sec. 99-5.)

(30 ILCS 500/5-30 new)

Sec. 5-30. Proposed contracts; Procurement Policy Board.

(a) Except as provided in subsection (c), within 30 days after notice of the awarding or letting of a contract has appeared in the Procurement Bulletin in accordance with subsection (b) of Section 15-25, the Board may request in writing from the contracting agency and the contracting agency shall promptly, but in no event later than 5 business days after receipt of the request, provide to the Board, by electronic or other means satisfactory to the Board, documentation in the possession of the contracting agency concerning the proposed contract. Nothing in this subsection is intended to waive or abrogate any privilege or right of confidentiality authorized by law.

(b) No contract subject to this Section may be entered into until the 30-day period described in subsection (a) has expired, unless the contracting agency requests in writing that the Board waive the period and the Board grants the waiver in writing.

(c) This Section does not apply to (i) contracts entered into under this Code for small and emergency procurements as those procurements are defined in Article 20 and (ii) contracts for professional and artistic services that are nonrenewable, one year or less in duration, and have a value of less than \$20,000. If requested in writing by the Board, however, the contracting agency must promptly, but in no event later than 8 business days after receipt of the request, transmit to the Board a copy of the contract for an emergency procurement and documentation in the possession of the contracting agency concerning the contract.

(30 ILCS 500/20-150 new)

Sec. 20-150. Proposed contracts; Procurement Policy Board. This Article is subject to Section 5-30 of this Code.

(30 ILCS 500/25-200 new)

Sec. 25-200. Proposed contracts; Procurement Policy Board. This Article is subject to Section 5-30 of this Code.

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(30 ILCS 500/30-150 new)

Sec. 30-150. Proposed contracts; Procurement Policy Board. This Article is subject to Section 5-30 of this Code.

(30 ILCS 500/35-150 new)

Sec. 35-150. Proposed contracts; Procurement Policy Board. This Article is subject to Section 5-30 of this Code.

(30 ILCS 500/40-15)

Sec. 40-15. Method of source selection.

(a) Request for information. Except as provided in subsections (b) and (c), all State contracts for leases of real property or capital improvements shall be awarded by a request for information process in accordance with Section 40-20.

(b) Other methods. A request for information process need not be used in procuring any of the following leases:

(1) Property of less than 10,000 square feet.

(2) Rent of less than \$100,000 per year.

(3) Duration of less than one year that cannot be renewed.

(4) Specialized space available at only one location.

(5) Renewal or extension of a lease in effect before July 1, ~~2002~~ ~~1999~~; provided that: (i) the chief procurement officer determines in writing that the renewal or extension is in the best interest of the State; (ii) the chief procurement officer submits his or her written determination and the renewal or extension to the Board; (iii) the Board does not object in writing to the renewal or extension within 30 days after its submission; and (iv) the chief procurement officer publishes the renewal or extension in the appropriate volume of the Procurement Bulletin.

(c) Leases with governmental units. Leases with other governmental units may be negotiated without using the request for information process when deemed by the chief procurement officer to be in the best interest of the State.

(Source: P.A. 93-133, eff. 1-1-04.)

(30 ILCS 500/40-55 new)

Sec. 40-55. Lessor's failure to make improvements. Each lease must provide for a penalty upon the lessor's failure to make improvements agreed upon in the lease. The penalty shall consist of a reduction in lease payments equal to the corresponding percentage of the improvement value to the lease value. The penalty shall continue until the lessor complies with the lease and the improvements are certified by the chief procurement officer and the leasing State agency.

(30 ILCS 500/40-150 new)

Sec. 40-150. Proposed contracts; Procurement Policy Board. This Article is subject to Section 5-30 of this Code.

(30 ILCS 500/53-150 new)

Sec. 53-150. Proposed contracts; Procurement Policy Board. This Article is subject to Section 5-30 of this Code.

Section 10-133. The Illinois Coal Technology Development Assistance Act is amended by changing Section 3 as follows:

(30 ILCS 730/3) (from Ch. 96 1/2, par. 8203)

Sec. 3. Transfers to Coal Technology Development Assistance Funds. As soon as may be practicable after the first day of each month, the Department of Revenue shall certify to the Treasurer an amount equal to 1/64 of the revenue realized from the tax imposed by the Electricity Excise Tax Law, Section 2 of the Public Utilities Revenue Act, Section 2 of the Messages Tax Act, and Section 2 of the Gas Revenue Tax Act, during the preceding month. Upon receipt of the certification, the Treasurer shall transfer the amount shown on such certification from the General Revenue Fund to the Coal Technology Development Assistance Fund, which is hereby created as a special fund in the State treasury, except that no transfer shall be made in any month in which the Fund has reached the following balance:

(1) \$7,000,000 during fiscal year 1994.

(2) \$8,500,000 during fiscal year 1995.

(3) \$10,000,000 during fiscal years 1996 and 1997.

(4) During fiscal year 1998 through fiscal year 2004 ~~and each year thereafter~~, an amount equal to the sum of \$10,000,000 plus

additional moneys deposited into the Coal Technology Development Assistance Fund from the Renewable Energy Resources and Coal Technology Development Assistance Charge under Section

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6.5 of the Renewable Energy, Energy Efficiency, and Coal Resources Development Law of 1997.

(5) During fiscal year 2005, an amount equal to the sum of \$7,000,000 plus additional moneys deposited into the Coal Technology Development Assistance Fund from the Renewable Energy Resources and Coal Technology Development Assistance Charge under Section 6.5 of the Renewable Energy, Energy Efficiency, and Coal Resources Development Law of 1997.

(6) During fiscal year 2006 and each fiscal year thereafter, an amount equal to the sum of \$10,000,000 plus additional moneys deposited into the Coal Technology Development Assistance Fund from the Renewable Energy Resources and Coal Technology Development Assistance Charge under Section 6.5 of the Renewable Energy, Energy Efficiency, and Coal Resources Development Law of 1997.

(Source: P.A. 90-561, eff. 12-16-97; 90-624, eff. 7-10-98.)

Section 10-135. The Illinois Income Tax Act is amended by changing Section 901 as follows:
(35 ILCS 5/901) (from Ch. 120, par. 9-901)

Sec. 901. Collection Authority.

(a) In general.

The Department shall collect the taxes imposed by this Act. The Department shall collect certified past due child support amounts under Section 2505-650 of the Department of Revenue Law (20 ILCS 2505/2505-650). Except as provided in subsections (c) and (e) of this Section, money collected pursuant to subsections (a) and (b) of Section 201 of this Act shall be paid into the General Revenue Fund in the State treasury; money collected pursuant to subsections (c) and (d) of Section 201 of this Act shall be paid into the Personal Property Tax Replacement Fund, a special fund in the State Treasury; and money collected under Section 2505-650 of the Department of Revenue Law (20 ILCS 2505/2505-650) shall be paid into the Child Support Enforcement Trust Fund, a special fund outside the State Treasury, or to the State Disbursement Unit established under Section 10-26 of the Illinois Public Aid Code, as directed by the Department of Public Aid.

(b) Local Governmental Distributive Fund.

Beginning August 1, 1969, and continuing through June 30, 1994, the Treasurer shall transfer each month from the General Revenue Fund to a special fund in the State treasury, to be known as the "Local Government Distributive Fund", an amount equal to 1/12 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act during the preceding month. Beginning July 1, 1994, and continuing through June 30, 1995, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to 1/11 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act during the preceding month. Beginning July 1, 1995, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the net of (i) 1/10 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of the Illinois Income Tax Act during the preceding month (ii) minus, beginning July 1, 2003 and ending June 30, 2004, \$6,666,666, and beginning July 1, 2004, zero. Net revenue realized for a month shall be defined as the revenue from the tax imposed by subsections (a) and (b) of Section 201 of this Act which is deposited in the General Revenue Fund, the Educational Assistance Fund and the Income Tax Surcharge Local Government Distributive Fund during the month minus the amount paid out of the General Revenue Fund in State warrants during that same month as refunds to taxpayers for overpayment of liability under the tax imposed by subsections (a) and (b) of Section 201 of this Act.

(c) Deposits Into Income Tax Refund Fund.

(1) Beginning on January 1, 1989 and thereafter, the Department shall deposit a percentage of the amounts collected pursuant to subsections (a) and (b)(1), (2), and (3), of Section 201 of this Act into a fund in the State treasury known as the Income Tax Refund Fund. The Department shall deposit 6% of such amounts during the period beginning January 1, 1989 and ending on June 30, 1989. Beginning with State fiscal year 1990 and for each fiscal year thereafter, the percentage deposited into the Income Tax Refund Fund during a fiscal year shall be the Annual Percentage. For fiscal years 1999 through 2001, the Annual Percentage shall be 7.1%. For fiscal year 2003, the Annual Percentage shall be 8%. For fiscal year 2004, the Annual Percentage shall be 11.7%. Upon the effective date of this amendatory Act of the 93rd General Assembly, the Annual Percentage shall be 10% for fiscal year 2005. For all other fiscal years, the Annual Percentage shall be calculated as a fraction, the numerator of which shall be the amount of refunds approved for payment by the Department during the preceding fiscal year as a result of overpayment of tax liability under subsections (a) and (b)(1), (2), and (3) of Section 201 of this Act plus the amount of such refunds remaining approved but unpaid at the end of the preceding fiscal year, minus the

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amounts transferred into the Income Tax Refund Fund from the Tobacco Settlement Recovery Fund, and the denominator of which shall be the amounts which will be collected pursuant to subsections (a) and (b)(1), (2), and (3) of Section 201 of this Act during the preceding fiscal year; except that in State fiscal year 2002, the Annual Percentage shall in no event exceed 7.6%. The Director of Revenue shall certify the Annual Percentage to the Comptroller on the last business day of the fiscal year immediately preceding the fiscal year for which it is to be effective.

(2) Beginning on January 1, 1989 and thereafter, the Department shall deposit a percentage of the amounts collected pursuant to subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act into a fund in the State treasury known as the Income Tax Refund Fund. The Department shall deposit 18% of such amounts during the period beginning January 1, 1989 and ending on June 30, 1989. Beginning with State fiscal year 1990 and for each fiscal year thereafter, the percentage deposited into the Income Tax Refund Fund during a fiscal year shall be the Annual Percentage. For fiscal years 1999, 2000, and 2001, the Annual Percentage shall be 19%. For fiscal year 2003, the Annual Percentage shall be 27%. For fiscal year 2004, the Annual Percentage shall be 32%. Upon the effective date of this amendatory Act of the 93rd General Assembly, the Annual Percentage shall be 24% for fiscal year 2005. For all other fiscal years, the Annual Percentage shall be calculated as a fraction, the numerator of which shall be the amount of refunds approved for payment by the Department during the preceding fiscal year as a result of overpayment of tax liability under subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act plus the amount of such refunds remaining approved but unpaid at the end of the preceding fiscal year, and the denominator of which shall be the amounts which will be collected pursuant to subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act during the preceding fiscal year; except that in State fiscal year 2002, the Annual Percentage shall in no event exceed 23%. The Director of Revenue shall certify the Annual Percentage to the Comptroller on the last business day of the fiscal year immediately preceding the fiscal year for which it is to be effective.

(3) The Comptroller shall order transferred and the Treasurer shall transfer from the Tobacco Settlement Recovery Fund to the Income Tax Refund Fund (i) \$35,000,000 in January, 2001, (ii) \$35,000,000 in January, 2002, and (iii) \$35,000,000 in January, 2003.

(d) Expenditures from Income Tax Refund Fund.

(1) Beginning January 1, 1989, money in the Income Tax Refund Fund shall be expended exclusively for the purpose of paying refunds resulting from overpayment of tax liability under Section 201 of this Act, for paying rebates under Section 208.1 in the event that the amounts in the Homeowners' Tax Relief Fund are insufficient for that purpose, and for making transfers pursuant to this subsection (d).

(2) The Director shall order payment of refunds resulting from overpayment of tax liability under Section 201 of this Act from the Income Tax Refund Fund only to the extent that amounts collected pursuant to Section 201 of this Act and transfers pursuant to this subsection (d) and item (3) of subsection (c) have been deposited and retained in the Fund.

(3) As soon as possible after the end of each fiscal year, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Income Tax Refund Fund to the Personal Property Tax Replacement Fund an amount, certified by the Director to the Comptroller, equal to the excess of the amount collected pursuant to subsections (c) and (d) of Section 201 of this Act deposited into the Income Tax Refund Fund during the fiscal year over the amount of refunds resulting from overpayment of tax liability under subsections (c) and (d) of Section 201 of this Act paid from the Income Tax Refund Fund during the fiscal year.

(4) As soon as possible after the end of each fiscal year, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Personal Property Tax Replacement Fund to the Income Tax Refund Fund an amount, certified by the Director to the Comptroller, equal to the excess of the amount of refunds resulting from overpayment of tax liability under subsections (c) and (d) of Section 201 of this Act paid from the Income Tax Refund Fund during the fiscal year over the amount collected pursuant to subsections (c) and (d) of Section 201 of this Act deposited into the Income Tax Refund Fund during the fiscal year.

(4.5) As soon as possible after the end of fiscal year 1999 and of each fiscal year thereafter, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Income Tax Refund Fund to the General Revenue Fund any surplus remaining in the Income Tax Refund Fund as of the end of such fiscal year; excluding for fiscal years 2000, 2001, and 2002 amounts attributable to transfers under item (3) of subsection (c) less refunds resulting from the earned income tax credit.

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(5) This Act shall constitute an irrevocable and continuing appropriation from the Income Tax Refund Fund for the purpose of paying refunds upon the order of the Director in accordance with the provisions of this Section.

(e) Deposits into the Education Assistance Fund and the Income Tax Surcharge Local Government Distributive Fund.

On July 1, 1991, and thereafter, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of this Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 7.3% into the Education Assistance Fund in the State Treasury. Beginning July 1, 1991, and continuing through January 31, 1993, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 3.0% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury. Beginning February 1, 1993 and continuing through June 30, 1993, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 4.4% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury. Beginning July 1, 1993, and continuing through June 30, 1994, of the amounts collected under subsections (a) and (b) of Section 201 of this Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 1.475% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury. (Source: P.A. 92-11, eff. 6-11-01; 92-16, eff. 6-28-01; 92-600, eff. 6-28-02; 93-32, eff. 6-20-03.)

Section 10-140. The Cigarette Tax Act is amended by changing Section 2 as follows:

(35 ILCS 130/2) (from Ch. 120, par. 453.2)

Sec. 2. Tax imposed; rate; collection, payment, and distribution; discount.

(a) A tax is imposed upon any person engaged in business as a retailer of cigarettes in this State at the rate of 5 1/2 mills per cigarette sold, or otherwise disposed of in the course of such business in this State. In addition to any other tax imposed by this Act, a tax is imposed upon any person engaged in business as a retailer of cigarettes in this State at a rate of 1/2 mill per cigarette sold or otherwise disposed of in the course of such business in this State on and after January 1, 1947, and shall be paid into the Metropolitan Fair and Exposition Authority Reconstruction Fund. On and after December 1, 1985, in addition to any other tax imposed by this Act, a tax is imposed upon any person engaged in business as a retailer of cigarettes in this State at a rate of 4 mills per cigarette sold or otherwise disposed of in the course of such business in this State. Of the additional tax imposed by this amendatory Act of 1985, \$9,000,000 of the moneys received by the Department of Revenue pursuant to this Act shall be paid each month into the Common School Fund. On and after the effective date of this amendatory Act of 1989, in addition to any other tax imposed by this Act, a tax is imposed upon any person engaged in business as a retailer of cigarettes at the rate of 5 mills per cigarette sold or otherwise disposed of in the course of such business in this State. On and after the effective date of this amendatory Act of 1993, in addition to any other tax imposed by this Act, a tax is imposed upon any person engaged in business as a retailer of cigarettes at the rate of 7 mills per cigarette sold or otherwise disposed of in the course of such business in this State. On and after December 15, 1997, in addition to any other tax imposed by this Act, a tax is imposed upon any person engaged in business as a retailer of cigarettes at the rate of 7 mills per cigarette sold or otherwise disposed of in the course of such business of this State. All of the moneys received by the Department of Revenue pursuant to this Act and the Cigarette Use Tax Act from the additional taxes imposed by this amendatory Act of 1997, shall be paid each month into the Common School Fund. On and after July 1, 2002, in addition to any other tax imposed by this Act, a tax is imposed upon any person engaged in business as a retailer of cigarettes at the rate of 20.0 mills per cigarette sold or otherwise disposed of in the course of such business in this State. The payment of such taxes shall be evidenced by a stamp affixed to each original package of cigarettes, or an authorized substitute for such stamp imprinted on each original package of such cigarettes underneath the sealed transparent outside wrapper of such original package, as hereinafter provided. However, such taxes are not imposed upon any activity in such business in interstate commerce or otherwise, which activity may not under the Constitution and statutes of the United States be made the subject of taxation by this State.

Beginning on the effective date of this amendatory Act of the 92nd General Assembly, all of the moneys received by the Department of Revenue pursuant to this Act and the Cigarette Use Tax Act, other than the moneys that are dedicated to the Metropolitan Fair and Exposition Authority Reconstruction Fund and the Common School Fund, shall be distributed each month as follows: first, there shall be paid into the General Revenue Fund an amount which, when added to the amount paid into the Common School Fund for that month, equals \$33,300,000, except that in the month of August

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of 2004, this amount shall equal \$83,300,000; then, from the moneys remaining, if any amounts required to be paid into the General Revenue Fund in previous months remain unpaid, those amounts shall be paid into the General Revenue Fund; then, beginning on April 1, 2003, from the moneys remaining, \$5,000,000 per month shall be paid into the School Infrastructure Fund; then, if any amounts required to be paid into the School Infrastructure Fund in previous months remain unpaid, those amounts shall be paid into the School Infrastructure Fund; then the moneys remaining, if any, shall be paid into the Long-Term Care Provider Fund. To the extent that more than \$25,000,000 has been paid into the General Revenue Fund and Common School Fund per month for the period of July 1, 1993 through the effective date of this amendatory Act of 1994 from combined receipts of the Cigarette Tax Act and the Cigarette Use Tax Act, notwithstanding the distribution provided in this Section, the Department of Revenue is hereby directed to adjust the distribution provided in this Section to increase the next monthly payments to the Long Term Care Provider Fund by the amount paid to the General Revenue Fund and Common School Fund in excess of \$25,000,000 per month and to decrease the next monthly payments to the General Revenue Fund and Common School Fund by that same excess amount.

When any tax imposed herein terminates or has terminated, distributors who have bought stamps while such tax was in effect and who therefore paid such tax, but who can show, to the Department's satisfaction, that they sold the cigarettes to which they affixed such stamps after such tax had terminated and did not recover the tax or its equivalent from purchasers, shall be allowed by the Department to take credit for such absorbed tax against subsequent tax stamp purchases from the Department by such distributor.

The impact of the tax levied by this Act is imposed upon the retailer and shall be prepaid or pre-collected by the distributor for the purpose of convenience and facility only, and the amount of the tax shall be added to the price of the cigarettes sold by such distributor. Collection of the tax shall be evidenced by a stamp or stamps affixed to each original package of cigarettes, as hereinafter provided.

Each distributor shall collect the tax from the retailer at or before the time of the sale, shall affix the stamps as hereinafter required, and shall remit the tax collected from retailers to the Department, as hereinafter provided. Any distributor who fails to properly collect and pay the tax imposed by this Act shall be liable for the tax. Any distributor having cigarettes to which stamps have been affixed in his possession for sale on the effective date of this amendatory Act of 1989 shall not be required to pay the additional tax imposed by this amendatory Act of 1989 on such stamped cigarettes. Any distributor having cigarettes to which stamps have been affixed in his or her possession for sale at 12:01 a.m. on the effective date of this amendatory Act of 1993, is required to pay the additional tax imposed by this amendatory Act of 1993 on such stamped cigarettes. This payment, less the discount provided in subsection (b), shall be due when the distributor first makes a purchase of cigarette tax stamps after the effective date of this amendatory Act of 1993, or on the first due date of a return under this Act after the effective date of this amendatory Act of 1993, whichever occurs first. Any distributor having cigarettes to which stamps have been affixed in his possession for sale on December 15, 1997 shall not be required to pay the additional tax imposed by this amendatory Act of 1997 on such stamped cigarettes.

Any distributor having cigarettes to which stamps have been affixed in his or her possession for sale on July 1, 2002 shall not be required to pay the additional tax imposed by this amendatory Act of the 92nd General Assembly on those stamped cigarettes.

The amount of the Cigarette Tax imposed by this Act shall be separately stated, apart from the price of the goods, by both distributors and retailers, in all advertisements, bills and sales invoices.

(b) The distributor shall be required to collect the taxes provided under paragraph (a) hereof, and, to cover the costs of such collection, shall be allowed a discount during any year commencing July 1st and ending the following June 30th in accordance with the schedule set out hereinbelow, which discount shall be allowed at the time of purchase of the stamps when purchase is required by this Act, or at the time when the tax is remitted to the Department without the purchase of stamps from the Department when that method of paying the tax is required or authorized by this Act. Prior to December 1, 1985, a discount equal to 1 2/3% of the amount of the tax up to and including the first \$700,000 paid hereunder by such distributor to the Department during any such year; 1 1/3% of the next \$700,000 of tax or any part thereof, paid hereunder by such distributor to the Department during any such year; 1% of the next \$700,000 of tax, or any part thereof, paid hereunder by such distributor to the Department during any such year, and 2/3 of 1% of the amount of any additional tax paid hereunder by such distributor to the Department during any such year shall apply. On and after December 1, 1985, a discount equal to 1.75% of the amount of the tax payable under this Act up to and including the first \$3,000,000 paid hereunder by such distributor to the Department during any

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such year and 1.5% of the amount of any additional tax paid hereunder by such distributor to the Department during any such year shall apply.

Two or more distributors that use a common means of affixing revenue tax stamps or that are owned or controlled by the same interests shall be treated as a single distributor for the purpose of computing the discount.

(c) The taxes herein imposed are in addition to all other occupation or privilege taxes imposed by the State of Illinois, or by any political subdivision thereof, or by any municipal corporation.

(Source: P.A. 92-536, eff. 6-6-02.)

Section 10-145. The Motor Fuel Tax Law is amended by changing Section 8 as follows:
(35 ILCS 505/8) (from Ch. 120, par. 424)

Sec. 8. Except as provided in Section 8a, subdivision (h)(1) of Section 12a, Section 13a.6, and items 13, 14, 15, and 16 of Section 15, all money received by the Department under this Act, including payments made to the Department by member jurisdictions participating in the International Fuel Tax Agreement, shall be deposited in a special fund in the State treasury, to be known as the "Motor Fuel Tax Fund", and shall be used as follows:

(a) 2 1/2 cents per gallon of the tax collected on special fuel under paragraph (b) of Section 2 and Section 13a of this Act shall be transferred to the State Construction Account Fund in the State Treasury;

(b) \$420,000 shall be transferred each month to the State Boating Act Fund to be used by the Department of Natural Resources for the purposes specified in Article X of the Boat Registration and Safety Act;

(c) \$2,250,000 shall be transferred each month to the Grade Crossing Protection Fund to be used as follows: not less than \$6,000,000 each fiscal year shall be used for the construction or reconstruction of rail highway grade separation structures; \$2,250,000 in fiscal year 2004 and each fiscal year thereafter shall be transferred to the Transportation Regulatory Fund and shall be accounted for as part of the rail carrier portion of such funds and shall be used to pay the cost of administration of the Illinois Commerce Commission's railroad safety program in connection with its duties under subsection (3) of Section 18c-7401 of the Illinois Vehicle Code, with the remainder to be used by the Department of Transportation upon order of the Illinois Commerce Commission, to pay that part of the cost apportioned by such Commission to the State to cover the interest of the public in the use of highways, roads, streets, or pedestrian walkways in the county highway system, township and district road system, or municipal street system as defined in the Illinois Highway Code, as the same may from time to time be amended, for separation of grades, for installation, construction or reconstruction of crossing protection or reconstruction, alteration, relocation including construction or improvement of any existing highway necessary for access to property or improvement of any grade crossing including the necessary highway approaches thereto of any railroad across the highway or public road, or for the installation, construction, reconstruction, or maintenance of a pedestrian walkway over or under a railroad right-of-way, as provided for in and in accordance with Section 18c-7401 of the Illinois Vehicle Code. The Commission shall not order more than \$2,000,000 per year in Grade Crossing Protection Fund moneys for pedestrian walkways. In entering orders for projects for which payments from the Grade Crossing Protection Fund will be made, the Commission shall account for expenditures authorized by the orders on a cash rather than an accrual basis. For purposes of this requirement an "accrual basis" assumes that the total cost of the project is expended in the fiscal year in which the order is entered, while a "cash basis" allocates the cost of the project among fiscal years as expenditures are actually made. To meet the requirements of this subsection, the Illinois Commerce Commission shall develop annual and 5-year project plans of rail crossing capital improvements that will be paid for with moneys from the Grade Crossing Protection Fund. The annual project plan shall identify projects for the succeeding fiscal year and the 5-year project plan shall identify projects for the 5 directly succeeding fiscal years. The Commission shall submit the annual and 5-year project plans for this Fund to the Governor, the President of the Senate, the Senate Minority Leader, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives on the first Wednesday in April of each year;

(d) of the amount remaining after allocations provided for in subsections (a), (b) and (c), a sufficient amount shall be reserved to pay all of the following:

(1) the costs of the Department of Revenue in administering this Act;

(2) the costs of the Department of Transportation in performing its duties imposed by the Illinois Highway Code for supervising the use of motor fuel tax funds apportioned to municipalities, counties and road districts;

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(3) refunds provided for in Section 13 of this Act and under the terms of the International Fuel Tax Agreement referenced in Section 14a;

(4) from October 1, 1985 until June 30, 1994, the administration of the Vehicle Emissions Inspection Law, which amount shall be certified monthly by the Environmental Protection Agency to the State Comptroller and shall promptly be transferred by the State Comptroller and Treasurer from the Motor Fuel Tax Fund to the Vehicle Inspection Fund, and for the period July 1, 1994 through June 30, 2000, one-twelfth of \$25,000,000 each month, for the period July 1, 2000 through June 30, 2003, one-twelfth of \$30,000,000 each month, and \$15,000,000 on July 1, 2003, and \$15,000,000 on January 1, 2004, and \$15,000,000 on each July 1 and October 1, or as soon thereafter as may be practical, during of each calendar year for the period ~~July January~~ 1, 2004 through June 30, 2006, for the administration of the Vehicle Emissions Inspection Law of 1995, to be transferred by the State Comptroller and Treasurer from the Motor Fuel Tax Fund into the Vehicle Inspection Fund;

(5) amounts ordered paid by the Court of Claims; and

(6) payment of motor fuel use taxes due to member jurisdictions under the terms of the International Fuel Tax Agreement. The Department shall certify these amounts to the Comptroller by the 15th day of each month; the Comptroller shall cause orders to be drawn for such amounts, and the Treasurer shall administer those amounts on or before the last day of each month;

(e) after allocations for the purposes set forth in subsections (a), (b), (c) and (d), the remaining amount shall be apportioned as follows:

(1) Until January 1, 2000, 58.4%, and beginning January 1, 2000, 45.6% shall be deposited as follows:

(A) 37% into the State Construction Account Fund, and

(B) 63% into the Road Fund, \$1,250,000 of which shall be reserved each month for the Department of Transportation to be used in accordance with the provisions of Sections 6-901 through 6-906 of the Illinois Highway Code;

(2) Until January 1, 2000, 41.6%, and beginning January 1, 2000, 54.4% shall be transferred to the Department of Transportation to be distributed as follows:

(A) 49.10% to the municipalities of the State,

(B) 16.74% to the counties of the State having 1,000,000 or more inhabitants,

(C) 18.27% to the counties of the State having less than 1,000,000 inhabitants,

(D) 15.89% to the road districts of the State.

As soon as may be after the first day of each month the Department of Transportation shall allot to each municipality its share of the amount apportioned to the several municipalities which shall be in proportion to the population of such municipalities as determined by the last preceding municipal census if conducted by the Federal Government or Federal census. If territory is annexed to any municipality subsequent to the time of the last preceding census the corporate authorities of such municipality may cause a census to be taken of such annexed territory and the population so ascertained for such territory shall be added to the population of the municipality as determined by the last preceding census for the purpose of determining the allotment for that municipality. If the population of any municipality was not determined by the last Federal census preceding any apportionment, the apportionment to such municipality shall be in accordance with any census taken by such municipality. Any municipal census used in accordance with this Section shall be certified to the Department of Transportation by the clerk of such municipality, and the accuracy thereof shall be subject to approval of the Department which may make such corrections as it ascertains to be necessary.

As soon as may be after the first day of each month the Department of Transportation shall allot to each county its share of the amount apportioned to the several counties of the State as herein provided. Each allotment to the several counties having less than 1,000,000 inhabitants shall be in proportion to the amount of motor vehicle license fees received from the residents of such counties, respectively, during the preceding calendar year. The Secretary of State shall, on or before April 15 of each year, transmit to the Department of Transportation a full and complete report showing the amount of motor vehicle license fees received from the residents of each county, respectively, during the preceding calendar year. The Department of Transportation shall, each month, use for allotment purposes the last such report received from the Secretary of State.

As soon as may be after the first day of each month, the Department of Transportation shall allot to the several counties their share of the amount apportioned for the use of road districts. The allotment shall be apportioned among the several counties in the State in the proportion which the total mileage of township or district roads in the respective counties bears to the total mileage of all township and

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district roads in the State. Funds allotted to the respective counties for the use of road districts therein shall be allocated to the several road districts in the county in the proportion which the total mileage of such township or district roads in the respective road districts bears to the total mileage of all such township or district roads in the county. After July 1 of any year, no allocation shall be made for any road district unless it levied a tax for road and bridge purposes in an amount which will require the extension of such tax against the taxable property in any such road district at a rate of not less than either .08% of the value thereof, based upon the assessment for the year immediately prior to the year in which such tax was levied and as equalized by the Department of Revenue or, in DuPage County, an amount equal to or greater than \$12,000 per mile of road under the jurisdiction of the road district, whichever is less. If any road district has levied a special tax for road purposes pursuant to Sections 6-601, 6-602 and 6-603 of the Illinois Highway Code, and such tax was levied in an amount which would require extension at a rate of not less than .08% of the value of the taxable property thereof, as equalized or assessed by the Department of Revenue, or, in DuPage County, an amount equal to or greater than \$12,000 per mile of road under the jurisdiction of the road district, whichever is less, such levy shall, however, be deemed a proper compliance with this Section and shall qualify such road district for an allotment under this Section. If a township has transferred to the road and bridge fund money which, when added to the amount of any tax levy of the road district would be the equivalent of a tax levy requiring extension at a rate of at least .08%, or, in DuPage County, an amount equal to or greater than \$12,000 per mile of road under the jurisdiction of the road district, whichever is less, such transfer, together with any such tax levy, shall be deemed a proper compliance with this Section and shall qualify the road district for an allotment under this Section.

In counties in which a property tax extension limitation is imposed under the Property Tax Extension Limitation Law, road districts may retain their entitlement to a motor fuel tax allotment if, at the time the property tax extension limitation was imposed, the road district was levying a road and bridge tax at a rate sufficient to entitle it to a motor fuel tax allotment and continues to levy the maximum allowable amount after the imposition of the property tax extension limitation. Any road district may in all circumstances retain its entitlement to a motor fuel tax allotment if it levied a road and bridge tax in an amount that will require the extension of the tax against the taxable property in the road district at a rate of not less than 0.08% of the assessed value of the property, based upon the assessment for the year immediately preceding the year in which the tax was levied and as equalized by the Department of Revenue or, in DuPage County, an amount equal to or greater than \$12,000 per mile of road under the jurisdiction of the road district, whichever is less.

As used in this Section the term "road district" means any road district, including a county unit road district, provided for by the Illinois Highway Code; and the term "township or district road" means any road in the township and district road system as defined in the Illinois Highway Code. For the purposes of this Section, "road district" also includes park districts, forest preserve districts and conservation districts organized under Illinois law and "township or district road" also includes such roads as are maintained by park districts, forest preserve districts and conservation districts. The Department of Transportation shall determine the mileage of all township and district roads for the purposes of making allotments and allocations of motor fuel tax funds for use in road districts.

Payment of motor fuel tax moneys to municipalities and counties shall be made as soon as possible after the allotment is made. The treasurer of the municipality or county may invest these funds until their use is required and the interest earned by these investments shall be limited to the same uses as the principal funds.

(Source: P.A. 92-16, eff. 6-28-01; 92-30, eff. 7-1-01; 93-32, eff. 6-20-03.)

Section 10-150. The Electricity Excise Tax Law is amended by changing Sections 2-9 and 2-11 as follows:

(35 ILCS 640/2-9)

Sec. 2-9. Return and payment of tax by delivering supplier. Each delivering supplier who is required or authorized to collect the tax imposed by this Law shall make a return to the Department on or before the 15th day of each month for the preceding calendar month stating the following:

- (1) The delivering supplier's name.
- (2) The address of the delivering supplier's principal place of business and the address of the principal place of business (if that is a different address) from which the delivering supplier engaged in the business of delivering electricity in this State.
- (3) The total number of kilowatt-hours which the supplier delivered to or for purchasers during the preceding calendar month and upon the basis of which the tax is imposed.
- (4) Amount of tax, computed upon Item (3) at the rates stated in Section 2-4.

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(5) An adjustment for uncollectible amounts of tax in respect of prior period kilowatt-hour deliveries, determined in accordance with rules and regulations promulgated by the Department.

(5.5) The amount of credits to which the taxpayer is entitled on account of purchases made under Section 8-403.1 of the Public Utilities Act.

(6) Such other information as the Department reasonably may require.

In making such return the delivering supplier may use any reasonable method to derive reportable "kilowatt-hours" from the delivering supplier's records.

If the average monthly tax liability to the Department of the delivering supplier does not exceed \$2,500, the Department may authorize the delivering supplier's returns to be filed on a quarter-annual basis, with the return for January, February and March of a given year being due by April 30 of such year; with the return for April, May and June of a given year being due by July 31 of such year; with the return for July, August and September of a given year being due by October 31 of such year; and with the return for October, November and December of a given year being due by January 31 of the following year.

If the average monthly tax liability to the Department of the delivering supplier does not exceed \$1,000, the Department may authorize the delivering supplier's returns to be filed on an annual basis, with the return for a given year being due by January 31 of the following year.

Such quarter-annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Law concerning the time within which a delivering supplier may file a return, any such delivering supplier who ceases to engage in a kind of business which makes the person responsible for filing returns under this Law shall file a final return under this Law with the Department not more than one month after discontinuing such business.

Each delivering supplier whose average monthly liability to the Department under this Law is \$10,000 or more during the preceding calendar year, excluding the month of highest liability and the month of lowest liability in such calendar year, and who is not operated by a unit of local government, shall make estimated payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which tax liability to the Department is incurred in an amount not less than the lower of either 22.5% of such delivering supplier's actual tax liability for the month or 25% of such delivering supplier's actual tax liability for the same calendar month of the preceding year. The amount of such quarter-monthly payments shall be credited against the final tax liability of such delivering supplier's return for that month. An outstanding credit approved by the Department or a credit memorandum issued by the Department arising from such delivering supplier's overpayment of his or her final tax liability for any month may be applied to reduce the amount of any subsequent quarter-monthly payment or credited against the final tax liability of such delivering supplier's return for any subsequent month. If any quarter-monthly payment is not paid at the time or in the amount required by this Section, such delivering supplier shall be liable for penalty and interest on the difference between the minimum amount due as a payment and the amount of such payment actually and timely paid, except insofar as such delivering supplier has previously made payments for that month to the Department in excess of the minimum payments previously due.

If the Director finds that the information required for the making of an accurate return cannot reasonably be compiled by such delivering supplier within 15 days after the close of the calendar month for which a return is to be made, the Director may grant an extension of time for the filing of such return for a period not to exceed 31 calendar days. The granting of such an extension may be conditioned upon the deposit by such delivering supplier with the Department of an amount of money not exceeding the amount estimated by the Director to be due with the return so extended. All such deposits shall be credited against such delivering supplier's liabilities under this Law. If the deposit exceeds such delivering supplier's present and probable future liabilities under this Law, the Department shall issue to such delivering supplier a credit memorandum, which may be assigned by such delivering supplier to a similar person under this Law, in accordance with reasonable rules and regulations to be prescribed by the Department.

The delivering supplier making the return provided for in this Section shall, at the time of making such return, pay to the Department the amount of tax imposed by this Law.

Until October 1, 2002, a delivering supplier who has an average monthly tax liability of \$10,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "average monthly tax liability" shall be the sum of the delivering supplier's liabilities under this Law for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the

Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer. Any delivering supplier not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department. All delivering suppliers required to make payments by electronic funds transfer and any delivering suppliers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

Through June 30, 2004, each ~~Each~~ month the Department shall pay into the Public Utility Fund in the State treasury an amount determined by the Director to be equal to 3.0% of the funds received by the Department pursuant to this Section. Through June 30, 2004, the ~~The~~ remainder of all moneys received by the Department under this Section shall be paid into the General Revenue Fund in the State treasury. Beginning on July 1, 2004, of the 3% of the funds received pursuant to this Section, each month the Department shall pay \$416,667 into the General Revenue Fund and the balance shall be paid into the Public Utility Fund in the State treasury.

(Source: P.A. 92-492, eff. 1-1-02.)

(35 ILCS 640/2-11)

Sec. 2-11. Direct return and payment by self-assessing purchaser. When electricity is used or consumed by a self-assessing purchaser subject to the tax imposed by this Law who did not pay the tax to a delivering supplier maintaining a place of business within this State and required or authorized to collect the tax, that self-assessing purchaser shall, on or before the 15th day of each month, make a return to the Department for the preceding calendar month, stating all of the following:

(1) The self-assessing purchaser's name and principal address.

(2) The aggregate purchase price paid by the self-assessing purchaser for the distribution, supply, furnishing, sale, transmission and delivery of such electricity to or for the purchaser during the preceding calendar month, including budget plan and other purchaser-owned amounts applied during such month in payment of charges includible in the purchase price, and upon the basis of which the tax is imposed.

(3) Amount of tax, computed upon item (2) at the rate stated in Section 2-4.

(4) Such other information as the Department reasonably may require.

In making such return the self-assessing purchaser may use any reasonable method to derive reportable "purchase price" from the self-assessing purchaser's records.

If the average monthly tax liability of the self-assessing purchaser to the Department does not exceed \$2,500, the Department may authorize the self-assessing purchaser's returns to be filed on a quarter-annual basis, with the return for January, February and March of a given year being due by April 30 of such year; with the return for April, May and June of a given year being due by July 31 of such year; with the return for July, August, and September of a given year being due by October 31 of such year; and with the return for October, November and December of a given year being due by January 31 of the following year.

If the average monthly tax liability of the self-assessing purchaser to the Department does not exceed \$1,000, the Department may authorize the self-assessing purchaser's returns to be filed on an annual basis, with the return for a given year being due by January 31 of the following year.

Such quarter-annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Law concerning the time within which a self-assessing purchaser may file a return, any such self-assessing purchaser who ceases to be responsible for filing returns under this Law shall file a final return under this Law with the Department not more than one month thereafter.

Each self-assessing purchaser whose average monthly liability to the Department pursuant to this Section was \$10,000 or more during the preceding calendar year, excluding the month of highest liability and the month of lowest liability during such calendar year, and which is not operated by a unit of local government, shall make estimated payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which tax liability to the Department is incurred in an amount not less than the lower of either 22.5% of such self-assessing purchaser's actual tax liability for the month or 25% of such self-assessing purchaser's actual tax liability for the same calendar month of the preceding year. The amount of such quarter-monthly payments shall be credited against the final tax liability of the self-assessing purchaser's return for that month. An outstanding credit approved by the Department or a credit memorandum issued by the Department arising from the self-assessing purchaser's overpayment of the self-assessing purchaser's final tax liability for any month may be applied to reduce the amount of any subsequent quarter-monthly payment or credited against the final tax liability of such self-assessing purchaser's return for any subsequent month. If any quarter-monthly

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payment is not paid at the time or in the amount required by this Section, such person shall be liable for penalty and interest on the difference between the minimum amount due as a payment and the amount of such payment actually and timely paid, except insofar as such person has previously made payments for that month to the Department in excess of the minimum payments previously due.

If the Director finds that the information required for the making of an accurate return cannot reasonably be compiled by a self-assessing purchaser within 15 days after the close of the calendar month for which a return is to be made, the Director may grant an extension of time for the filing of such return for a period of not to exceed 31 calendar days. The granting of such an extension may be conditioned upon the deposit by such self-assessing purchaser with the Department of an amount of money not exceeding the amount estimated by the Director to be due with the return so extended. All such deposits shall be credited against such self-assessing purchaser's liabilities under this Law. If the deposit exceeds such self-assessing purchaser's present and probable future liabilities under this Law, the Department shall issue to such self-assessing purchaser a credit memorandum, which may be assigned by such self-assessing purchaser to a similar person under this Law, in accordance with reasonable rules and regulations to be prescribed by the Department.

The self-assessing purchaser making the return provided for in this Section shall, at the time of making such return, pay to the Department the amount of tax imposed by this Law.

Until October 1, 2002, a self-assessing purchaser who has an average monthly tax liability of \$10,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "average monthly tax liability" shall be the sum of the self-assessing purchaser's liabilities under this Law for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer. Any self-assessing purchaser not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department. All self-assessing purchasers required to make payments by electronic funds transfer and any self-assessing purchasers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

Through June 30, 2004, each ~~Each~~ month the Department shall pay into the Public Utility Fund in the State treasury an amount determined by the Director to be equal to 3.0% of the funds received by the Department pursuant to this Section. Through June 30, 2004, the ~~The~~ remainder of all moneys received by the Department under this Section shall be paid into the General Revenue Fund in the State treasury. Beginning on July 1, 2004, of the 3% of the funds received pursuant to this Section, each month the Department shall pay \$416,667 into the General Revenue Fund and the balance shall be paid into the Public Utility Fund in the State treasury.
(Source: P.A. 91-357, eff. 7-29-99; 92-492, eff. 1-1-02.)

Section 10-155. The Illinois Pension Code is amended by changing Sections 14-103.05, 14-108.3, 14-135.08, 15-106, 15-107, and 16-133.3 and adding Section 14-132.1 as follows:

(40 ILCS 5/14-103.05) (from Ch. 108 1/2, par. 14-103.05)

Sec. 14-103.05. Employee.

(a) Any person employed by a Department who receives salary for personal services rendered to the Department on a warrant issued pursuant to a payroll voucher certified by a Department and drawn by the State Comptroller upon the State Treasurer, including an elected official described in subparagraph (d) of Section 14-104, shall become an employee for purpose of membership in the Retirement System on the first day of such employment.

A person entering service on or after January 1, 1972 and prior to January 1, 1984 shall become a member as a condition of employment and shall begin making contributions as of the first day of employment.

A person entering service on or after January 1, 1984 shall, upon completion of 6 months of continuous service which is not interrupted by a break of more than 2 months, become a member as a condition of employment. Contributions shall begin the first of the month after completion of the qualifying period.

The qualifying period of 6 months of service is not applicable to: (1) a person who has been granted credit for service in a position covered by the State Universities Retirement System, the Teachers' Retirement System of the State of Illinois, the General Assembly Retirement System, or the Judges Retirement System of Illinois unless that service has been forfeited under the laws of those systems; (2) a person entering service on or after July 1, 1991 in a noncovered position; or (3) a person to whom Section 14-108.2a or 14-108.2b applies.

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(b) The term "employee" does not include the following:

- (1) members of the State Legislature, and persons electing to become members of the General Assembly Retirement System pursuant to Section 2-105;
- (2) incumbents of offices normally filled by vote of the people;
- (3) except as otherwise provided in this Section, any person appointed by the Governor with the advice and consent of the Senate unless that person elects to participate in this system;
- (4) except as provided in Section 14-108.2 or 14-108.2c, any person who is covered or eligible to be covered by the Teachers' Retirement System of the State of Illinois, the State Universities Retirement System, or the Judges Retirement System of Illinois;
- (5) an employee of a municipality or any other political subdivision of the State;
- (6) any person who becomes an employee after June 30, 1979 as a public service employment program participant under the Federal Comprehensive Employment and Training Act and whose wages or fringe benefits are paid in whole or in part by funds provided under such Act;
- (7) enrollees of the Illinois Young Adult Conservation Corps program, administered by the Department of Natural Resources, authorized grantee pursuant to Title VIII of the "Comprehensive Employment and Training Act of 1973", 29 USC 993, as now or hereafter amended;
- (8) enrollees and temporary staff of programs administered by the Department of Natural Resources under the Youth Conservation Corps Act of 1970;
- (9) any person who is a member of any professional licensing or disciplinary board created under an Act administered by the Department of Professional Regulation or a successor agency or created or re-created after the effective date of this amendatory Act of 1997, and who receives per diem compensation rather than a salary, notwithstanding that such per diem compensation is paid by warrant issued pursuant to a payroll voucher; such persons have never been included in the membership of this System, and this amendatory Act of 1987 (P.A. 84-1472) is not intended to effect any change in the status of such persons;
- (10) any person who is a member of the Illinois Health Care Cost Containment Council, and receives per diem compensation rather than a salary, notwithstanding that such per diem compensation is paid by warrant issued pursuant to a payroll voucher; such persons have never been included in the membership of this System, and this amendatory Act of 1987 is not intended to effect any change in the status of such persons; ~~or~~
- (11) any person who is a member of the Oil and Gas Board created by Section 1.2 of the Illinois Oil and Gas Act, and receives per diem compensation rather than a salary, notwithstanding that such per diem compensation is paid by warrant issued pursuant to a payroll voucher; or -
(12) a person employed by the State Board of Higher Education in a position with the Illinois Century Network as of June 30, 2004, who remains continuously employed after that date by the Department of Central Management Services in a position with the Illinois Century Network and participates in the Article 15 system with respect to that employment.

(Source: P.A. 92-14, eff. 6-28-01.)

(40 ILCS 5/14-108.3)

Sec. 14-108.3. Early retirement incentives.

(a) To be eligible for the benefits provided in this Section, a person must:

- (1) be a member of this System who, on any day during June, 2002, is (i) in active payroll status in a position of employment with a department and an active contributor to this System with respect to that employment, and terminates that employment before the retirement annuity under this Article begins, or (ii) on layoff status from such a position with a right of re-employment or recall to service, or (iii) receiving benefits under Section 14-123, 14-123.1 or 14-124, but only if the member has not been receiving those benefits for a continuous period of more than 2 years as of the date of application;
- (2) not have received any retirement annuity under this Article beginning earlier than August 1, 2002;
- (3) file with the Board on or before December 31, 2002 a written application requesting the benefits provided in this Section;
- (4) terminate employment under this Article no later than December 31, 2002 (or the date established under subsection (d), if applicable);
- (5) by the date of termination of service, have at least 8 years of creditable service under this Article, without the use of any creditable service established under this Section;
- (6) by the date of termination of service, have at least 5 years of membership service earned while an employee under this Article, which may include military service for which credit is

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established under Section 14-105(b), service during the qualifying period for which credit is established under Section 14-104(a), and service for which credit has been established by repaying a refund under Section 14-130, but shall not include service for which any other optional service credit has been established; and

(7) not receive any early retirement benefit under Section 16-133.3 of this Code.

(b) An eligible person may establish up to 5 years of creditable service under this Article, in increments of one month, by making the contributions specified in subsection (c). In addition, for each month of creditable service established under this Section, a person's age at retirement shall be deemed to be one month older than it actually is.

The creditable service established under this Section may be used for all purposes under this Article and the Retirement Systems Reciprocal Act, except for the computation of final average compensation under Section 14-103.12 or the determination of compensation under this or any other Article of this Code.

The age enhancement established under this Section may not be used to enable any person to begin receiving a retirement annuity calculated under Section 14-110 before actually attaining age 50 (without any age enhancement under this Section). The age enhancement established under this Section may be used for all other purposes under this Article (including calculation of a proportionate annuity payable by this System under the Retirement Systems Reciprocal Act), except for purposes of the level income option in Section 14-112, the reversionary annuity under Section 14-113, and the required distributions under Section 14-121.1.

The age enhancement established under this Section may be used in determining benefits payable under Article 16 of this Code under the Retirement Systems Reciprocal Act, if the person has at least 5 years of service credit in the Article 16 system that was earned while participating in that system as a teacher (as defined in Section 16-106) employed by a department (as defined in Section 14-103.04). Age enhancement established under this Section shall not otherwise be used in determining benefits payable under other Articles of this Code under the Retirement Systems Reciprocal Act.

(c) For all creditable service established under this Section, a person must pay to the System an employee contribution to be determined by the System, based on the member's rate of compensation on June 1, 2002 (or the last date before June 1, 2002 for which a rate can be determined) and the retirement contribution rate in effect on June 1, 2002 for the member (or for members with the same social security and alternative formula status as the member).

If the member receives a lump sum payment for accumulated vacation, sick leave and personal leave upon withdrawal from service, and the net amount of that lump sum payment is at least as great as the amount of the contribution required under this Section, the entire contribution must be paid by the employee by payroll deduction. If there is no such lump sum payment, or if it is less than the contribution required under this Section, the member shall make an initial payment by payroll deduction, equal to the net amount of the lump sum payment for accumulated vacation, sick leave, and personal leave, and have the remaining amount due treated as a reduction from the retirement annuity in 24 equal monthly installments beginning in the month in which the retirement annuity takes effect. The required contribution may be paid as a pre-tax deduction from earnings. For federal and Illinois tax purposes, the monthly amount by which the annuitant's benefit is reduced shall not be treated as a contribution by the annuitant, but rather as a reduction of the annuitant's monthly benefit.

(c-5) The reduction in retirement annuity provided in subsection (c) of Section 14-108 does not apply to the annuity of a person who retires under this Section. A person who has received any age enhancement or creditable service under this Section may begin to receive an unreduced retirement annuity upon attainment of age 55 with at least 25 years of creditable service (including any age enhancement and creditable service established under this Section).

(d) In order to ensure that the efficient operation of State government is not jeopardized by the simultaneous retirement of large numbers of key personnel, the director or other head of a department may, for key employees of that department, extend the December 31, 2002 deadline for terminating employment under this Article established in subdivision (a)(4) of this Section to a date not later than April 30, 2003 by so notifying the System in writing by December 31, 2002.

(e) Notwithstanding Section 14-111, a person who has received any age enhancement or creditable service under this Section and who reenters service under this Article (or as an employee of a department under Article 16) other than as a temporary employee thereby forfeits that age enhancement and creditable service and is entitled to a refund of the contributions made pursuant to this Section.

(f) The System shall determine the amount of the increase in the present value of future benefits unfunded accrued liability resulting from the granting of early retirement incentives under this Section

and shall report that amount to the Governor and the ~~Pension Laws Commission (or its successor, the Economic and Fiscal Commission)~~ on or after the effective date of this amendatory Act of the 93rd General Assembly and on or before November 15, 2004 ~~2003~~. The increase in liability reported under this subsection (f) shall not be included in the calculation of the required State contribution under Section 14-131.

~~(g) The System shall determine the amount of the annual State contribution necessary to amortize on a level dollar payment basis, over a period of 10 years at 8.5% interest, compounded annually, an amount equal to the increase in unfunded accrued liability determined under subsection (f) minus \$70,000,000. The System shall certify the amount of this annual State contribution to the Governor, the State Comptroller, the Governor's Office of Management and Budget (formerly Bureau of the Budget), and the Pension Laws Commission (or its successor, the Economic and Fiscal Commission) on or before November 15, 2003. In addition to the contributions otherwise required under this Article, the State shall appropriate and pay to the System (1) an amount equal to \$70,000,000 in State fiscal years year 2004 and 2005 and (2) in each of State fiscal years 2006 through 2015, a level dollar-payment based upon the increase in the present value of future benefits provided by the early retirement incentives provided under this Section amortized at 8.5% interest 2005 through 2013, an amount equal to the annual State contribution certified by the System under this subsection (g).~~

~~(h) The Economic and Fiscal Commission (i) shall hold one or more hearings on or before the last session day during the fall veto session of 2004 to review recommendations relating to funding of early retirement incentives under this Section and (ii) shall file its report with the General Assembly on or before December 31, 2004 making its recommendations relating to funding of early retirement incentives under this Section; the Commission's report may contain both majority recommendations and minority recommendations. The System shall recalculate and recertify to the Governor by January 31, 2005 the amount of the required State contribution to the System for State fiscal year 2005 with respect to those incentives. The Pension Laws Commission (or its successor, the Economic and Fiscal Commission) shall determine and report to the General Assembly, on or before January 1, 2004 and annually thereafter through the year 2013, its estimate of (1) the annual amount of payroll savings likely to be realized by the State as a result of the early retirement of persons receiving early retirement incentives under this Section and (2) the net annual savings or cost to the State from the program of early retirement incentives created under this Section.~~

The System, the Department of Central Management Services, the Governor's Office of Management and Budget (formerly Bureau of the Budget), and all other departments shall provide to the Commission any assistance that the Commission may request with respect to its reports under this Section. The Commission may require departments to provide it with any information that it deems necessary or useful with respect to its reports under this Section, including without limitation information about (1) the final earnings of former department employees who elected to receive benefits under this Section, (2) the earnings of current department employees holding the positions vacated by persons who elected to receive benefits under this Section, and (3) positions vacated by persons who elected to receive benefits under this Section that have not yet been refilled.

~~(i) The changes made to this Section by this amendatory Act of the 92nd General Assembly do not apply to persons who retired under this Section on or before May 1, 1992.~~

~~(Source: P.A. 92-566, eff. 6-25-02; 93-632, eff. 2-1-04.)~~

~~(40 ILCS 5/14-132.2 new)~~

Sec. 14-132.2. Payment into the General Obligation Retirement and Interest Fund. Notwithstanding any other law, on the first day of each month, or as soon thereafter as practical, the System shall pay over to the State for deposit into the General Obligation Retirement and Interest Fund all amounts previously received by the System pursuant to Section 14-135.08(b) representing additional amounts to pay principal of and interest on general obligation bonds authorized by Section 7.2(a) of the General Obligation Bond Act and issued to provide those proceeds deposited by the State with the System in July 2004, representing deposits other than amounts reserved under Section 7.2 of the General Obligation Bond Act.

~~(40 ILCS 5/14-135.08) (from Ch. 108 1/2, par. 14-135.08)~~

~~Sec. 14-135.08. To certify required State contributions.~~

~~(a) To certify to the Governor and to each department, on or before November 15 of each year, the required rate for State contributions to the System for the next State fiscal year, as determined under subsection (b) of Section 14-131. The certification to the Governor shall include a copy of the actuarial recommendations upon which the rate is based.~~

~~(b) The certification shall include an additional amount necessary to pay all principal of and interest on those general obligation bonds due the next fiscal year authorized by Section 7.2(a) of the General~~

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Obligation Bond Act and issued to provide the proceeds deposited by the State with the System in July 2004, representing deposits other than amounts reserved under Section 7.2(c) of the General Obligation Bond Act. For State fiscal year 2005, the Board shall make a supplemental certification of the additional amount necessary to pay all principal of and interest on those general obligation bonds due in State fiscal years 2004 and 2005 authorized by Section 7.2(a) of the General Obligation Bond Act and issued to provide the proceeds deposited by the State with the System in July 2004, representing deposits other than amounts reserved under Section 7.2(c) of the General Obligation Bond Act, as soon as practical after the effective date of this amendatory Act of the 93rd General Assembly.

On or before May 1, 2004, the Board shall recalculate and recertify to the Governor and to each department the amount of the required State contribution to the System and the required rates for State contributions to the System for State fiscal year 2005, taking into account the amounts appropriated to and received by the System under subsection (d) of Section 7.2 of the General Obligation Bond Act. (Source: P.A. 93-2, eff. 4-7-03.)

(40 ILCS 5/15-106) (from Ch. 108 1/2, par. 15-106)

Sec. 15-106. Employer. "Employer": The University of Illinois, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, the State Board of Higher Education, the Illinois Mathematics and Science Academy, the State Geological Survey Division of the Department of Natural Resources, the State Natural History Survey Division of the Department of Natural Resources, the State Water Survey Division of the Department of Natural Resources, the Waste Management and Research Center of the Department of Natural Resources, the University Civil Service Merit Board, the Board of Trustees of the State Universities Retirement System, the Illinois Community College Board, community college boards, any association of community college boards organized under Section 3-55 of the Public Community College Act, the Board of Examiners established under the Illinois Public Accounting Act, and, only during the period for which employer contributions required under Section 15-155 are paid, the following organizations: the alumni associations, the foundations and the athletic associations which are affiliated with the universities and colleges included in this Section as employers.

A department as defined in Section 14-103.04 is an employer for any person appointed by the Governor under the Civil Administrative Code of Illinois who is a participating employee as defined in Section 15-109. The Department of Central Management Services is an employer with respect to persons employed by the State Board of Higher Education in positions with the Illinois Century Network as of June 30, 2004 who remain continuously employed after that date by the Department of Central Management Services in positions with the Illinois Century Network.

The cities of Champaign and Urbana shall be considered employers, but only during the period for which contributions are required to be made under subsection (b-1) of Section 15-155 and only with respect to individuals described in subsection (h) of Section 15-107.

(Source: P.A. 89-4, eff. 1-1-96; 89-445, eff. 2-7-96; 90-490, eff. 8-17-97; 90-511, eff. 8-22-97; 90-576, eff. 3-31-98; 90-655, eff. 7-30-98.)

(40 ILCS 5/15-107) (from Ch. 108 1/2, par. 15-107)

Sec. 15-107. Employee.

(a) "Employee" means any member of the educational, administrative, secretarial, clerical, mechanical, labor or other staff of an employer whose employment is permanent and continuous or who is employed in a position in which services are expected to be rendered on a continuous basis for at least 4 months or one academic term, whichever is less, who (A) receives payment for personal services on a warrant issued pursuant to a payroll voucher certified by an employer and drawn by the State Comptroller upon the State Treasurer or by an employer upon trust, federal or other funds, or (B) is on a leave of absence without pay. Employment which is irregular, intermittent or temporary shall not be considered continuous for purposes of this paragraph.

However, a person is not an "employee" if he or she:

- (1) is a student enrolled in and regularly attending classes in a college or university which is an employer, and is employed on a temporary basis at less than full time;
- (2) is currently receiving a retirement annuity or a disability retirement annuity under Section 15-153.2 from this System;
- (3) is on a military leave of absence;
- (4) is eligible to participate in the Federal Civil Service Retirement System and is currently making contributions to that system based upon earnings paid by an employer;
- (5) is on leave of absence without pay for more than 60 days immediately following

termination of disability benefits under this Article;

(6) is hired after June 30, 1979 as a public service employment program participant under the Federal Comprehensive Employment and Training Act and receives earnings in whole or in part from funds provided under that Act; or

(7) is employed on or after July 1, 1991 to perform services that are excluded by subdivision (a)(7)(f) or (a)(19) of Section 210 of the federal Social Security Act from the definition of employment given in that Section (42 U.S.C. 410).

(b) Any employer may, by filing a written notice with the board, exclude from the definition of "employee" all persons employed pursuant to a federally funded contract entered into after July 1, 1982 with a federal military department in a program providing training in military courses to federal military personnel on a military site owned by the United States Government, if this exclusion is not prohibited by the federally funded contract or federal laws or rules governing the administration of the contract.

(c) Any person appointed by the Governor under the Civil Administrative Code of the State is an employee, if he or she is a participant in this system on the effective date of the appointment.

(d) A participant on lay-off status under civil service rules is considered an employee for not more than 120 days from the date of the lay-off.

(e) A participant is considered an employee during (1) the first 60 days of disability leave, (2) the period, not to exceed one year, in which his or her eligibility for disability benefits is being considered by the board or reviewed by the courts, and (3) the period he or she receives disability benefits under the provisions of Section 15-152, workers' compensation or occupational disease benefits, or disability income under an insurance contract financed wholly or partially by the employer.

(f) Absences without pay, other than formal leaves of absence, of less than 30 calendar days, are not considered as an interruption of a person's status as an employee. If such absences during any period of 12 months exceed 30 work days, the employee status of the person is considered as interrupted as of the 31st work day.

(g) A staff member whose employment contract requires services during an academic term is to be considered an employee during the summer and other vacation periods, unless he or she declines an employment contract for the succeeding academic term or his or her employment status is otherwise terminated, and he or she receives no earnings during these periods.

(h) An individual who was a participating employee employed in the fire department of the University of Illinois's Champaign-Urbana campus immediately prior to the elimination of that fire department and who immediately after the elimination of that fire department became employed by the fire department of the City of Urbana or the City of Champaign shall continue to be considered as an employee for purposes of this Article for so long as the individual remains employed as a firefighter by the City of Urbana or the City of Champaign. The individual shall cease to be considered an employee under this subsection (h) upon the first termination of the individual's employment as a firefighter by the City of Urbana or the City of Champaign.

(i) An individual who is employed on a full-time basis as an officer or employee of a statewide teacher organization that serves System participants or an officer of a national teacher organization that serves System participants may participate in the System and shall be deemed an employee, provided that (1) the individual has previously earned creditable service under this Article, (2) the individual files with the System an irrevocable election to become a participant, and (3) the individual does not receive credit for that employment under any other Article of this Code. An employee under this subsection (i) is responsible for paying to the System both (A) employee contributions based on the actual compensation received for service with the teacher organization and (B) employer contributions equal to the normal costs (as defined in Section 15-155) resulting from that service; all or any part of these contributions may be paid on the employee's behalf or picked up for tax purposes (if authorized under federal law) by the teacher organization.

A person who is an employee as defined in this subsection (i) may establish service credit for similar employment prior to becoming an employee under this subsection by paying to the System for that employment the contributions specified in this subsection, plus interest at the effective rate from the date of service to the date of payment. However, credit shall not be granted under this subsection for any such prior employment for which the applicant received credit under any other provision of this Code, or during which the applicant was on a leave of absence under Section 15-113.2.

(j) A person employed by the State Board of Higher Education in a position with the Illinois Century Network as of June 30, 2004 shall be considered to be an employee for so long as he or she remains continuously employed after that date by the Department of Central Management Services in a position with the Illinois Century Network and meets the requirements of subsection (a).

(Source: P.A. 93-347, eff. 7-24-03.)

(40 ILCS 5/16-133.3) (from Ch. 108 1/2, par. 16-133.3)

Sec. 16-133.3. Early retirement incentives for State employees.

(a) To be eligible for the benefits provided in this Section, a person must:

(1) be a member of this System who, on any day during June, 2002, is (i) in active payroll status as a full-time teacher employed by a department and an active contributor to this System with respect to that employment, or (ii) on layoff status from such a position with a right of re-employment or recall to service, or (iii) receiving a disability benefit under Section 16-149 or 16-149.1, but only if the member has not been receiving that benefit for a continuous period of more than 2 years as of the date of application;

(2) not have received any retirement annuity under this Article beginning earlier than August 1, 2002;

(3) file with the Board on or before December 31, 2002 a written application requesting the benefits provided in this Section;

(4) terminate employment under this Article no later than December 31, 2002 (or the date established under subsection (d), if applicable);

(5) by the date of termination of service, have at least 8 years of creditable service under this Article, without the use of any creditable service established under this Section;

(6) by the date of termination of service, have at least 5 years of service credit earned while participating in the System as a teacher employed by a department; and

(7) not receive any early retirement benefit under Section 14-108.3 of this Code.

For the purposes of this Section, "department" means a department as defined in Section 14-103.04 that employs a teacher as defined in this Article.

(b) An eligible person may establish up to 5 years of creditable service under this Article by making the contributions specified in subsection (c). In addition, for each period of creditable service established under this Section, a person's age at retirement shall be deemed to be enhanced by an equivalent period.

The creditable service established under this Section may be used for all purposes under this Article and the Retirement Systems Reciprocal Act, except for the computation of final average salary, the determination of salary or compensation under this Article or any other Article of this Code, or the determination of eligibility for or the computation of benefits under Section 16-133.2.

The age enhancement established under this Section may be used for all purposes under this Article (including calculation of a proportionate annuity payable by this System under the Retirement Systems Reciprocal Act), except for purposes of a retirement annuity under Section 16-133(a)(A), a reversionary annuity under Section 16-136, the required distributions under Section 16-142.3, and the determination of eligibility for or the computation of benefits under Section 16-133.2. Age enhancement established under this Section may be used in determining benefits payable under Article 14 of this Code under the Retirement Systems Reciprocal Act (subject to the limitations on the use of age enhancement provided in Section 14-108.3); age enhancement established under this Section shall not be used in determining benefits payable under other Articles of this Code under the Retirement Systems Reciprocal Act.

(c) For all creditable service established under this Section, a person must pay to the System an employee contribution to be determined by the System, equal to 9.0% of the member's highest annual salary rate that would be used in the determination of the average salary for retirement annuity purposes if the member retired immediately after withdrawal, for each year of creditable service established under this Section.

If the member receives a lump sum payment for accumulated vacation, sick leave, and personal leave upon withdrawal from service, and the net amount of that lump sum payment is at least as great as the amount of the contribution required under this Section, the entire contribution must be paid by the employee by payroll deduction. If there is no such lump sum payment, or if it is less than the contribution required under this Section, the member shall make an initial payment by payroll deduction, equal to the net amount of the lump sum payment for accumulated vacation, sick leave, and personal leave, and have the remaining amount due treated as a reduction from the retirement annuity in 24 equal monthly installments beginning in the month in which the retirement annuity takes effect. The required contribution may be paid as a pre-tax deduction from earnings.

(d) In order to ensure that the efficient operation of State government is not jeopardized by the simultaneous retirement of large numbers of key personnel, the director or other head of a department may, for key employees of that department, extend the December 31, 2002 deadline for terminating employment under this Article established in subdivision (a)(4) of this Section to a date not later than

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April 30, 2003 by so notifying the System in writing by December 31, 2002.

(e) A person who has received any age enhancement or creditable service under this Section and who reenters contributing service under this Article or Article 14 shall thereby forfeit that age enhancement and creditable service, and become entitled to a refund of the contributions made pursuant to this Section.

(f) The System shall determine the amount of the increase in the present value of future benefits unfunded accrued liability resulting from the granting of early retirement incentives under this Section and shall report that amount to the Governor and the ~~Pension Laws Commission (or its successor, the Economic and Fiscal Commission)~~ on or after the effective date of this amendatory Act of the 93rd General Assembly and on or before November 15, 2004 ~~2003~~. The increase in liability reported under this subsection (f) shall not be included in the calculation of the required State contribution under Section 16-158.

(g) ~~The System shall determine the amount of the annual State contribution necessary to amortize on a level dollar payment basis, over a period of 10 years at 8.5% interest, compounded annually, an amount equal to the increase in unfunded accrued liability determined under subsection (f) minus \$1,000,000. The System shall certify the amount of this annual State contribution to the Governor, the State Comptroller, the Governor's Office of Management and Budget (formerly Bureau of the Budget), and the Pension Laws Commission (or its successor, the Economic and Fiscal Commission) on or before November 15, 2003.~~ In addition to the contributions otherwise required under this Article, the State shall appropriate and pay to the System (1) an amount equal to \$1,000,000 in State fiscal year 2004 and (2) in each of State fiscal years 2006 through 2015, a level dollar payment based upon the increase in the present value of future benefits provided by the early retirement incentives provided under this Section amortized at 8.5% interest 2005 through 2013, an amount equal to the annual State contribution certified by the System under this subsection (g).

(h) The Pension Laws Commission (or its successor, the Economic and Fiscal Commission) shall determine and report to the General Assembly, on or before January 1, 2004 and annually thereafter through the year 2013, its estimate of (1) the annual amount of payroll savings likely to be realized by the State as a result of the early retirement of persons receiving early retirement incentives under this Section and (2) the net annual savings or cost to the State from the program of early retirement incentives created under this Section.

The System, the Department of Central Management Services, the Governor's Office of Management and Budget (formerly Bureau of the Budget), and all other departments shall provide to the Commission any assistance that the Commission may request with respect to its reports under this Section. The Commission may require departments to provide it with any information that it deems necessary or useful with respect to its reports under this Section, including without limitation information about (1) the final earnings of former department employees who elected to receive benefits under this Section, (2) the earnings of current department employees holding the positions vacated by persons who elected to receive benefits under this Section, and (3) positions vacated by persons who elected to receive benefits under this Section that have not yet been refilled.

(i) The changes made to this Section by this amendatory Act of the 92nd General Assembly do not apply to persons who retired under this Section on or before May 1, 1992.
(Source: P.A. 92-566, eff. 6-25-02; 93-632, eff. 2-1-04.)

Section 10-159. The State Pension Funds Continuing Appropriation Act is amended by changing Section 1.6 as follows:

(40 ILCS 15/1.6)

Sec. 1.6. Appropriations for early retirement programs.

(a) There is hereby appropriated from the General Revenue Fund to the State Employees' Retirement System of Illinois, on a continuing annual basis in each of State fiscal years 2004 through ~~2015 2013~~, the amount, if any, by which the total available amount of all other appropriations to that retirement system for the payment of State contributions under subsection (g) of Section 14-108.3 of the Illinois Pension Code in that fiscal year is less than the total amount of State contributions required for that fiscal year under that subsection (g).

(b) There is hereby appropriated from the General Revenue Fund to the Teachers' Retirement System of the State of Illinois, on a continuing annual basis in each of State fiscal years 2004 through ~~2015 2013~~, the amount, if any, by which the total available amount of all other appropriations to that retirement system for the payment of State contributions under subsection (g) of Section 16-133.3 of the Illinois Pension Code in that fiscal year is less than the total amount of State contributions required for that fiscal year under that subsection (g).

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(Source: P.A. 92-566, eff. 6-25-02.)

Section 10-160. The Wireless Emergency Telephone Safety Act is amended by changing Sections 17, 25, 30, 35, 40, and 50 and by adding Section 75 as follows:

(50 ILCS 751/17)

(Section scheduled to be repealed on April 1, 2008)

Sec. 17. Wireless carrier surcharge.

(a) Except as provided in Section 45, each wireless carrier shall impose a monthly wireless carrier surcharge per CMRS connection that either has a telephone number within an area code assigned to Illinois by the North American Numbering Plan Administrator or has a billing address in this State. In the case of prepaid wireless telephone service, this surcharge shall be remitted based upon the address associated with the point of purchase, the customer billing address, or the location associated with the MTN for each active prepaid wireless telephone that has a sufficient positive balance as of the last day of each month, if that information is available. No wireless carrier shall impose the surcharge authorized by this Section upon any subscriber who is subject to the surcharge imposed by a unit of local government pursuant to Section 45. The wireless carrier that provides wireless service to the subscriber shall collect the surcharge set by the Wireless Enhanced 9-1-1 Board from the subscriber. For mobile telecommunications services provided on and after August 1, 2002, any surcharge imposed under this Act shall be imposed based upon the municipality or county that encompasses the customer's place of primary use as defined in the Mobile Telecommunications Sourcing Conformity Act. The surcharge shall be stated as a separate item on the subscriber's monthly bill. The wireless carrier shall begin collecting the surcharge on bills issued within 90 days after the Wireless Enhanced 9-1-1 Board sets the monthly wireless surcharge. State and local taxes shall not apply to the wireless carrier surcharge.

(b) Except as provided in Section 45, a wireless carrier shall, within 45 days of collection, remit, either by check or by electronic funds transfer, to the State Treasurer the amount of the wireless carrier surcharge collected from each subscriber. Of the amounts remitted under this subsection, the State Treasurer shall deposit one-third into the Wireless Carrier Reimbursement Fund and two-thirds into the Wireless Service Emergency Fund.

(c) The first such remittance by wireless carriers shall include the number of customers by zip code, and the 9-digit zip code if currently being used or later implemented by the carrier, that shall be the means by which the Illinois Commerce Commission ~~Department of Central Management Services~~ shall determine distributions from the Wireless Service Emergency Fund. This information shall be updated no less often than every year. Wireless carriers are not required to remit surcharge moneys that are billed to subscribers but not yet collected.

(Source: P.A. 92-526, eff. 7-1-02; 93-507, eff. 1-1-04.)

(50 ILCS 751/25)

(Section scheduled to be repealed on April 1, 2008)

Sec. 25. Wireless Service Emergency Fund; distribution of moneys. Within 60 days after the effective date of this Act, wireless carriers shall submit to the Illinois Commerce Commission ~~Department of Central Management Services~~ the number of wireless subscribers by zip code and the 9-digit zip code of the wireless subscribers, if currently being used or later implemented by the carrier.

The Illinois Commerce Commission ~~Department of Central Management Services~~ shall, subject to appropriation, make monthly proportional grants to the appropriate emergency telephone system board or qualified governmental entity based upon the United States Postal Zip Code of the wireless subscriber's billing address. No matching funds shall be required from grant recipients.

If the Illinois Commerce Commission ~~Department of Central Management Services~~ is notified of an area of overlapping jurisdiction, grants for that area shall be made based upon reference to an official Master Street Address Guide to the emergency telephone system board or qualified governmental entity whose public service answering points provide wireless 9-1-1 service in that area. The emergency telephone system board or qualified governmental entity shall provide the Illinois Commerce Commission ~~Department of Central Management Services~~ with a valid copy of the appropriate Master Street Address Guide. The Illinois Commerce Commission ~~Department of Central Management Services~~ does not have a duty to verify jurisdictional responsibility.

In the event of a subscriber billing address being matched to an incorrect jurisdiction by the Illinois Commerce Commission ~~Department of Central Management Services~~, the recipient, upon notification from the Illinois Commerce Commission ~~Department of Central Management Services~~, shall redirect the funds to the correct jurisdiction. The Illinois Commerce Commission ~~Department of Central Management Services~~ shall not be held liable for any damages relating to an act or omission under this

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Act, unless the act or omission constitutes gross negligence, recklessness, or intentional misconduct.

In the event of a dispute between emergency telephone system boards or qualified governmental entities concerning a subscriber billing address, the Illinois Commerce Commission Department of Central Management Services shall resolve the dispute.

The Illinois Commerce Commission Department of Central Management Services shall maintain detailed records of all receipts and disbursements and shall provide an annual accounting of all receipts and disbursements to the Auditor General.

The Illinois Commerce Commission Department of Central Management Services shall adopt rules to govern the grant process.

(Source: P.A. 91-660, eff. 12-22-99.)

(50 ILCS 751/30)

(Section scheduled to be repealed on April 1, 2008)

Sec. 30. Wireless Carrier Reimbursement Fund; uses. The Wireless Carrier Reimbursement Fund is created as a special fund in the State treasury. Moneys in the Wireless Carrier Reimbursement Fund may be used, subject to appropriation, only (i) to reimburse wireless carriers for all of their costs incurred in complying with the applicable provisions of Federal Communications Commission wireless enhanced 9-1-1 service mandates and (ii) to pay the reasonable and necessary costs of the Illinois Commerce Commission in exercising its rights, duties, powers, and functions under this Act. This reimbursement to wireless carriers may include, but need not be limited to, the cost of designing, upgrading, purchasing, leasing, programming, installing, testing, and maintaining necessary data, hardware, and software and associated operating and administrative costs and overhead.

(Source: P.A. 91-660, eff. 12-22-99.)

(50 ILCS 751/35)

(Section scheduled to be repealed on April 1, 2008)

Sec. 35. Wireless Carrier Reimbursement Fund; reimbursement. To recover costs from the Wireless Carrier Reimbursement Fund, the wireless carrier shall submit sworn invoices to the Illinois Commerce Commission Department of Central Management Services. In no event may any invoice for payment be approved for (i) costs that are not related to compliance with the requirements established by the wireless enhanced 9-1-1 mandates of the Federal Communications Commission, (ii) costs with respect to any wireless enhanced 9-1-1 service that is not operable at the time the invoice is submitted, or (iii) costs of any wireless carrier exceeding 100% ~~125%~~ of the wireless emergency services charges remitted to the Wireless Carrier Reimbursement Fund by the wireless carrier under Section 17(b) unless the wireless carrier received prior approval for the expenditures from the Illinois Commerce Commission Department of Central Management Services.

If in any month the total amount of invoices submitted to the Illinois Commerce Commission Department of Central Management Services and approved for payment exceeds the amount available in the Wireless Carrier Reimbursement Fund, wireless carriers that have invoices approved for payment shall receive a pro-rata share of the amount available in the Wireless Carrier Reimbursement Fund based on the relative amount of their approved invoices available that month, and the balance of the payments shall be carried into the following months until all of the approved payments are made.

A wireless carrier may not receive payment from the Wireless Carrier Reimbursement Fund for its costs of providing wireless enhanced 9-1-1 services in an area when a unit of local government or emergency telephone system board provides wireless 9-1-1 services in that area and was imposing and collecting a wireless carrier surcharge prior to July 1, 1998.

The Illinois Commerce Commission Department of Central Management Services shall maintain detailed records of all receipts and disbursements and shall provide an annual accounting of all receipts and disbursements to the Auditor General.

The Illinois Commerce Commission Department of Central Management Services shall adopt rules to govern the reimbursement process.

(Source: P.A. 93-507, eff. 1-1-04.)

(50 ILCS 751/40)

(Section scheduled to be repealed on April 1, 2008)

Sec. 40. Public disclosure. Because of the highly competitive nature of the wireless telephone industry, a public disclosure of information about surcharge moneys paid by wireless carriers could have the effect of stifling competition to the detriment of the public and the delivery of wireless 9-1-1 services. Therefore, the Illinois Commerce Commission Department of Central Management Services, the Department of State Police, governmental agencies, and individuals with access to that information shall take appropriate steps to prevent public disclosure of this information. Information and data supporting the amount and distribution of surcharge moneys collected and remitted by an

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individual wireless carrier shall be deemed exempt information for purposes of the Freedom of Information Act and shall not be publicly disclosed. The gross amount paid by all carriers shall not be deemed exempt and may be publicly disclosed.

(Source: P.A. 91-660, eff. 12-22-99.)

(50 ILCS 751/50)

(Section scheduled to be repealed on April 1, 2008)

Sec. 50. Limitation of liability. Notwithstanding any other provision of law, in no event shall a unit of local government, the Illinois Commerce Commission as successor agency to the Department of Central Management Services, the Department of State Police, or a public safety agency, public safety answering point, emergency telephone system board, or wireless carrier, or its officers, employees, assigns, or agents, be liable for any form of civil damages or criminal liability that directly or indirectly results from, or is caused by, any act or omission in the development, design, installation, operation, maintenance, performance, or provision of wireless 9-1-1 or wireless E9-1-1 service, unless the act or omission constitutes gross negligence, recklessness, or intentional misconduct.

A unit of local government, the Illinois Commerce Commission as successor agency to the Department of Central Management Services, the Department of State Police, or a public safety agency, public safety answering point, emergency telephone system board, or wireless carrier, or its officers, employees, assigns, or agents, shall not be liable for any form of civil damages or criminal liability that directly or indirectly results from, or is caused by, the release of subscriber information to any governmental entity as required under the provisions of this Act, unless the release constitutes gross negligence, recklessness, or intentional misconduct.

(Source: P.A. 91-660, eff. 12-22-99.)

(50 ILCS 751/75 new)

Sec. 75. Transfer of rights, functions, powers, duties, and property to Illinois Commerce Commission; rules and standards; savings provisions.

(a) Beginning July 1, 2004, the rights, functions, powers, and duties of the Department of Central Management Services as set forth in this Act are transferred to and shall be exercised by the Illinois Commerce Commission. By July 1, 2004, the Department of Central Management Services shall transfer and deliver to the Illinois Commerce Commission all books, records, documents, property (real and personal), unexpended appropriations, and pending business pertaining to the rights, powers, duties, and functions transferred to the Illinois Commerce Commission under this amendatory Act of the 93rd General Assembly.

(b) The rules and standards of the Department of Central Management Services that are in effect on June 30, 2004 and that pertain to the rights, powers, duties, and functions transferred to the Illinois Commerce Commission under this amendatory Act of the 93rd General Assembly shall become the rules and standards of the Illinois Commerce Commission on July 1, 2004, and shall continue in effect until amended or repealed by the Illinois Commerce Commission.

Any rules pertaining to the rights, powers, duties, and functions transferred to the Illinois Commerce Commission under this amendatory Act of the 93rd General Assembly that have been proposed by the Department of Central Management Services but have not taken effect or been finally adopted by June 30, 2004, shall become proposed rules of the Illinois Commerce Commission on July 1, 2004, and any rulemaking procedures that have already been completed by the Department of Central Management Services for those proposed rules need not be repealed.

As soon as it is practical after July 1, 2004, the Illinois Commerce Commission shall revise and clarify the rules transferred to it under this amendatory Act of the 93rd General Assembly to reflect the transfer of rights, powers, duties, and functions effected by this amendatory Act of the 93rd General Assembly using the procedures for recodification of rules available under the Illinois Administrative Procedure Act, except that existing title, part, and section numbering for the affected rules may be retained. The Illinois Commerce Commission may propose and adopt under the Illinois Administrative Procedure Act any other rules necessary to consolidate and clarify those rules.

(c) The rights, powers, duties, and functions transferred to the Illinois Commerce Commission by this amendatory Act of the 93rd General Assembly shall be vested in and exercised by the Commission subject to the provisions of this Act. An act done by the Illinois Commerce Commission or an officer, employee, or agent of the Commission in the exercise of the transferred rights, powers, duties, and functions shall have the same legal effect as if done by the Department of Central Management Services or an officer, employee, or agent of the Department.

The transfer of rights, powers, duties, and functions to the Illinois Commerce Commission under this amendatory Act of the 93rd General Assembly does not invalidate any previous action taken by or in respect to the Department of Central Management Services, its officers, employees, or agents.

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References to the Department of Central Management Services or its officers, employees, or agents in any document, contract, agreement, or law shall, in appropriate contexts, be deemed to refer to the Illinois Commerce Commission or its officers, employees, or agents.

The transfer of rights, powers, duties, and functions to the Illinois Commerce Commission under this amendatory Act of the 93rd General Assembly does not affect any person's rights, obligations, or duties, including any civil or criminal penalties applicable thereto, arising out of those transferred rights, powers, duties, and functions.

This amendatory Act of the 93rd General Assembly does not affect any act done, ratified, or cancelled, any right occurring or established, or any action or proceeding commenced in an administrative, civil, or criminal case before July 1, 2004. Any such action or proceeding that pertains to a right, power, duty, or function transferred to the Illinois Commerce Commission under this amendatory Act of the 93rd General Assembly that is pending on that date may be prosecuted, defended, or continued by the Department of Central Management Services.

For the purposes of Section 9b of the State Finance Act, the Illinois Commerce Commission is the successor to the Department of Central Management Services with respect to the rights, duties, powers, and functions transferred by this amendatory Act of the 93rd General Assembly.

Section 10-165. The Sanitary District Act of 1917 is amended by adding Section 17.2 as follows:
(70 ILCS 2405/17.2 new)

Sec. 17.2. Acquisition of privately-owned treatment works.

(a) After incorporation, any district organized under this Act may, in accordance with this Act, acquire by purchase or condemnation the territory, treatment works, lines, appurtenances, water treatment works, storage tanks, water lines, and other property of a privately-owned public sewer and water utility treatment works that is not located within any other sanitary district, regardless of whether the area serviced by the treatment works is contiguous to the acquiring sanitary district. If, at the time of acquisition, the treatment works is located within a municipality, then the treatment works may not be acquired by the sanitary district without the consent of that municipality. The distance between the treatment works being acquired and the acquiring sanitary district, as measured from the point of discharge of the treatment works and the corporate boundary of the acquiring sanitary district at its nearest point, shall be within 15 miles and shall be located in the sanitary district's facility planning area (FPA).

(b) The acquisition of the treatment works by a sanitary district shall not affect the obligation of any bonds issued in the sanitary district or in the territory serviced by the treatment works or invalidate the levy, extension, or collection of any taxes or special assessments within the sanitary district.

(c) The acquiring sanitary district may acquire by eminent domain, within or outside its boundaries, easements necessary to connect the treatment works to the sanitary district's sewers or plants.

(d) The sanitary district may pass all necessary ordinances to regulate the connections to and use of the sewer or water system of the treatment works, including the establishment of a user fee for the area serviced by the treatment works, and may enforce those ordinances against all users of the acquired system, within or outside its boundaries. The sanitary district may own, operate, expand, and improve the private treatment works in accordance with the provisions of this Act.

(e) The grant of powers set forth in this Section are a restatement of existing law.

Section 10-167. The Environmental Protection Act is amended by changing Section 55.6 as follows:

(415 ILCS 5/55.6) (from Ch. 111 1/2, par. 1055.6)

Sec. 55.6. Used Tire Management Fund.

(a) There is hereby created in the State Treasury a special fund to be known as the Used Tire Management Fund. There shall be deposited into the Fund all monies received as (1) recovered costs or proceeds from the sale of used tires under Section 55.3 of this Act, (2) repayment of loans from the Used Tire Management Fund, or (3) penalties or punitive damages for violations of this Title, except as provided by subdivision (b)(4) or (b)(4-5) of Section 42.

(b) Beginning January 1, 1992, in addition to any other fees required by law, the owner or operator of each site required to be registered under subsection (d) of Section 55 shall pay to the Agency an annual fee of \$100. Fees collected under this subsection shall be deposited into the Environmental Protection Permit and Inspection Fund.

(c) Pursuant to appropriation, monies up to an amount of \$2 million per fiscal year from the Used Tire Management Fund shall be allocated as follows:

(1) 38% shall be available to the Agency for the following purposes, provided that

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priority shall be given to item (i):

(i) To undertake preventive, corrective or removal action as authorized by and in accordance with Section 55.3, and to recover costs in accordance with Section 55.3.

(ii) For the performance of inspection and enforcement activities for used and waste tire sites.

(iii) To assist with marketing of used tires by augmenting the operations of an industrial materials exchange service.

(iv) To provide financial assistance to units of local government for the performance of inspecting, investigating and enforcement activities pursuant to subsection (r) of Section 4 at used and waste tire sites.

(v) To provide financial assistance for used and waste tire collection projects sponsored by local government or not-for-profit corporations.

(vi) For the costs of fee collection and administration relating to used and waste tires, and to accomplish such other purposes as are authorized by this Act and regulations thereunder.

(2) For fiscal years beginning prior to July 1, 2004, 23% shall be available to the Department of Commerce and ~~Economic Opportunity Community Affairs~~ for the following purposes, provided that priority shall be given to item (A):

(A) To provide grants or loans for the purposes of:

(i) assisting units of local government and private industry in the establishment of facilities and programs to collect, process and utilize used and waste tires and tire derived materials;

(ii) demonstrating the feasibility of innovative technologies as a means of collecting, storing, processing and utilizing used and waste tires and tire derived materials; and

(iii) applying demonstrated technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire derived materials.

(B) To develop educational material for use by officials and the public to better understand and respond to the problems posed by used tires and associated insects.

(C) (Blank).

(D) To perform such research as the Director deems appropriate to help meet the purposes of this Act.

(E) To pay the costs of administration of its activities authorized under this Act.

(2.1) For the fiscal year beginning July 1, 2004 and for all fiscal years thereafter, 23% shall be deposited into the General Revenue Fund.

(3) 25% shall be available to the Illinois Department of Public Health for the following purposes:

(A) To investigate threats or potential threats to the public health related to mosquitoes and other vectors of disease associated with the improper storage, handling and disposal of tires, improper waste disposal, or natural conditions.

(B) To conduct surveillance and monitoring activities for mosquitoes and other arthropod vectors of disease, and surveillance of animals which provide a reservoir for disease-producing organisms.

(C) To conduct training activities to promote vector control programs and integrated pest management as defined in the Vector Control Act.

(D) To respond to inquiries, investigate complaints, conduct evaluations and provide technical consultation to help reduce or eliminate public health hazards and nuisance conditions associated with mosquitoes and other vectors.

(E) To provide financial assistance to units of local government for training, investigation and response to public nuisances associated with mosquitoes and other vectors of disease.

(4) 2% shall be available to the Department of Agriculture for its activities under the Illinois Pesticide Act relating to used and waste tires.

(5) 2% shall be available to the Pollution Control Board for administration of its activities relating to used and waste tires.

(6) 10% shall be available to the Department of Natural Resources for the Illinois

Natural History Survey to perform research to study the biology, distribution, population ecology, and biosystematics of tire-breeding arthropods, especially mosquitoes, and the diseases they spread.

(d) By January 1, 1998, and biennially thereafter, each State agency receiving an appropriation from the Used Tire Management Fund shall report to the Governor and the General Assembly on its

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activities relating to the Fund.

(e) Any monies appropriated from the Used Tire Management Fund, but not obligated, shall revert to the Fund.

(f) In administering the provisions of subdivisions (1), (2) and (3) of subsection (c) of this Section, the Agency, the Department of Commerce and ~~Economic Opportunity Community Affairs~~, and the Illinois Department of Public Health shall ensure that appropriate funding assistance is provided to any municipality with a population over 1,000,000 or to any sanitary district which serves a population over 1,000,000.

(g) Pursuant to appropriation, monies in excess of \$2 million per fiscal year from the Used Tire Management Fund shall be used as follows:

(1) 55% shall be available to the Agency to undertake preventive, corrective or renewed action as authorized by and in accordance with Section 55.3 and to recover costs in accordance with Section 55.3.

(2) ~~For fiscal years beginning prior to July 1, 2004,~~ 45% shall be available to the Department of Commerce and ~~Economic Opportunity Community Affairs~~ to provide grants or loans for the purposes of:

- (i) assisting units of local government and private industry in the establishment of facilities and programs to collect, process and utilize waste tires and tire derived material;
- (ii) demonstrating the feasibility of innovative technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire derived materials; and
- (iii) applying demonstrated technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire derived materials.

(3) For the fiscal year beginning July 1, 2004 and for all fiscal years thereafter, 45% shall be deposited into the General Revenue Fund.

(Source: P.A. 91-856, eff. 6-22-00; 92-16, eff. 6-28-01; revised 12-6-03.)

Section 10-168. The Illinois Low-Level Radioactive Waste Management Act is amended by changing Section 13 as follows:

(420 ILCS 20/13) (from Ch. 111 1/2, par. 241-13)

Sec. 13. Waste fees.

(a) The Department shall collect a fee from each generator of low-level radioactive wastes in this State. Except as provided in subsections (b), (c), and (d), the amount of the fee shall be \$50.00 or the following amount, whichever is greater:

- (1) \$1 per cubic foot of waste shipped for storage, treatment or disposal if storage of the waste for shipment occurred prior to September 7, 1984;
- (2) \$2 per cubic foot of waste stored for shipment if storage of the waste occurs on or after September 7, 1984, but prior to October 1, 1985;
- (3) \$3 per cubic foot of waste stored for shipment if storage of the waste occurs on or after October 1, 1985;
- (4) \$2 per cubic foot of waste shipped for storage, treatment or disposal if storage of the waste for shipment occurs on or after September 7, 1984 but prior to October 1, 1985, provided that no fee has been collected previously for storage of the waste;
- (5) \$3 per cubic foot of waste shipped for storage, treatment or disposal if storage of the waste for shipment occurs on or after October 1, 1985, provided that no fees have been collected previously for storage of the waste.

Such fees shall be collected annually or as determined by the Department and shall be deposited in the low-level radioactive waste funds as provided in Section 14 of this Act. Notwithstanding any other provision of this Act, no fee under this Section shall be collected from a generator for waste generated incident to manufacturing before December 31, 1980, and shipped for disposal outside of this State before December 31, 1992, as part of a site reclamation leading to license termination.

(b) Each nuclear power reactor in this State for which an operating license has been issued by the Nuclear Regulatory Commission shall not be subject to the fee required by subsection (a) with respect to (1) waste stored for shipment if storage of the waste occurs on or after January 1, 1986; and (2) waste shipped for storage, treatment or disposal if storage of the waste for shipment occurs on or after January 1, 1986. In lieu of the fee, each reactor shall be required to pay an annual fee as provided in this subsection for the treatment, storage and disposal of low-level radioactive waste. Beginning with State fiscal year 1986 and through State fiscal year 1997, fees shall be due and payable on January 1st of each year. For State fiscal year 1998 and all subsequent State fiscal years, fees shall be due and payable on July 1 of each fiscal year. The fee due on July 1, 1997 shall be payable on that date, or

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within 10 days after the effective date of this amendatory Act of 1997, whichever is later.

The owner of any nuclear power reactor that has an operating license issued by the Nuclear Regulatory Commission for any portion of State fiscal year 1998 shall continue to pay an annual fee of \$90,000 for the treatment, storage, and disposal of low-level radioactive waste through State fiscal year 2002. The fee shall be due and payable on July 1 of each fiscal year. The fee due on July 1, 1998 shall be payable on that date, or within 10 days after the effective date of this amendatory Act of 1998, whichever is later. If the balance in the Low-Level Radioactive Waste Facility Development and Operation Fund falls below \$500,000, as of the end of any fiscal year after fiscal year 2002, the Department is authorized to assess by rule, after notice and a hearing, an additional annual fee to be paid by the owners of nuclear power reactors for which operating licenses have been issued by the Nuclear Regulatory Commission, except that no additional annual fee shall be assessed because of the fund balance at the end of fiscal year 2005. The additional annual fee shall be payable on the date or dates specified by rule and shall not exceed \$30,000 per operating reactor per year.

(c) In each of State fiscal years 1988, 1989 and 1990, in addition to the fee imposed in subsections (b) and (d), the owner of each nuclear power reactor in this State for which an operating license has been issued by the Nuclear Regulatory Commission shall pay a fee of \$408,000. If an operating license is issued during one of those 3 fiscal years, the owner shall pay a prorated amount of the fee equal to \$1,117.80 multiplied by the number of days in the fiscal year during which the nuclear power reactor was licensed.

The fee shall be due and payable as follows: in fiscal year 1988, \$204,000 shall be paid on October 1, 1987 and \$102,000 shall be paid on each of January 1, 1988 and April 1, 1988; in fiscal year 1989, \$102,000 shall be paid on each of July 1, 1988, October 1, 1988, January 1, 1989 and April 1, 1989; and in fiscal year 1990, \$102,000 shall be paid on each of July 1, 1989, October 1, 1989, January 1, 1990 and April 1, 1990. If the operating license is issued during one of the 3 fiscal years, the owner shall be subject to those payment dates, and their corresponding amounts, on which the owner possesses an operating license and, on June 30 of the fiscal year of issuance of the license, whatever amount of the prorated fee remains outstanding.

All of the amounts collected by the Department under this subsection (c) shall be deposited into the Low-Level Radioactive Waste Facility Development and Operation Fund created under subsection (a) of Section 14 of this Act and expended, subject to appropriation, for the purposes provided in that subsection.

(d) In addition to the fees imposed in subsections (b) and (c), the owners of nuclear power reactors in this State for which operating licenses have been issued by the Nuclear Regulatory Commission shall pay the following fees for each such nuclear power reactor: for State fiscal year 1989, \$325,000 payable on October 1, 1988, \$162,500 payable on January 1, 1989, and \$162,500 payable on April 1, 1989; for State fiscal year 1990, \$162,500 payable on July 1, \$300,000 payable on October 1, \$300,000 payable on January 1 and \$300,000 payable on April 1; for State fiscal year 1991, either (1) \$150,000 payable on July 1, \$650,000 payable on September 1, \$675,000 payable on January 1, and \$275,000 payable on April 1, or (2) \$150,000 on July 1, \$130,000 on the first day of each month from August through December, \$225,000 on the first day of each month from January through March and \$92,000 on the first day of each month from April through June; for State fiscal year 1992, \$260,000 payable on July 1, \$900,000 payable on September 1, \$300,000 payable on October 1, \$150,000 payable on January 1, and \$100,000 payable on April 1; for State fiscal year 1993, \$100,000 payable on July 1, \$230,000 payable on August 1 or within 10 days after July 31, 1992, whichever is later, and \$355,000 payable on October 1; for State fiscal year 1994, \$100,000 payable on July 1, \$75,000 payable on October 1 and \$75,000 payable on April 1; for State fiscal year 1995, \$100,000 payable on July 1, \$75,000 payable on October 1, and \$75,000 payable on April 1, for State fiscal year 1996, \$100,000 payable on July 1, \$75,000 payable on October 1, and \$75,000 payable on April 1. The owner of any nuclear power reactor that has an operating license issued by the Nuclear Regulatory Commission for any portion of State fiscal year 1998 shall pay an annual fee of \$30,000 through State fiscal year 2003. For State fiscal year 2004 and subsequent fiscal years, the owner of any nuclear power reactor that has an operating license issued by the Nuclear Regulatory Commission shall pay an annual fee of \$30,000 per reactor, provided that the fee shall not apply to a nuclear power reactor with regard to which the owner notified the Nuclear Regulatory Commission during State fiscal year 1998 that the nuclear power reactor permanently ceased operations. The fee shall be due and payable on July 1 of each fiscal year. The fee due on July 1, 1998 shall be payable on that date, or within 10 days after the effective date of this amendatory Act of 1998, whichever is later. The fee due on July 1, 1997 shall be payable on that date or within 10 days after the effective date of this amendatory Act of 1997, whichever is later. If the payments under this subsection for fiscal year 1993 due on January 1, 1993,

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or on April 1, 1993, or both, were due before the effective date of this amendatory Act of the 87th General Assembly, then those payments are waived and need not be made.

All of the amounts collected by the Department under this subsection (d) shall be deposited into the Low-Level Radioactive Waste Facility Development and Operation Fund created pursuant to subsection (a) of Section 14 of this Act and expended, subject to appropriation, for the purposes provided in that subsection.

All payments made by licensees under this subsection (d) for fiscal year 1992 that are not appropriated and obligated by the Department above \$1,750,000 per reactor in fiscal year 1992, shall be credited to the licensees making the payments to reduce the per reactor fees required under this subsection (d) for fiscal year 1993.

(e) The Department shall promulgate rules and regulations establishing standards for the collection of the fees authorized by this Section. The regulations shall include, but need not be limited to:

- (1) the records necessary to identify the amounts of low-level radioactive wastes produced;
- (2) the form and submission of reports to accompany the payment of fees to the Department; and
- (3) the time and manner of payment of fees to the Department, which payments shall not be more frequent than quarterly.

(f) Any operating agreement entered into under subsection (b) of Section 5 of this Act between the Department and any disposal facility contractor shall, subject to the provisions of this Act, authorize the contractor to impose upon and collect from persons using the disposal facility fees designed and set at levels reasonably calculated to produce sufficient revenues (1) to pay all costs and expenses properly incurred or accrued in connection with, and properly allocated to, performance of the contractor's obligations under the operating agreement, and (2) to provide reasonable and appropriate compensation or profit to the contractor under the operating agreement. For purposes of this subsection (f), the term "costs and expenses" may include, without limitation, (i) direct and indirect costs and expenses for labor, services, equipment, materials, insurance and other risk management costs, interest and other financing charges, and taxes or fees in lieu of taxes; (ii) payments to or required by the United States, the State of Illinois or any agency or department thereof, the Central Midwest Interstate Low-Level Radioactive Waste Compact, and subject to the provisions of this Act, any unit of local government; (iii) amortization of capitalized costs with respect to the disposal facility and its development, including any capitalized reserves; and (iv) payments with respect to reserves, accounts, escrows or trust funds required by law or otherwise provided for under the operating agreement.

- (g) (Blank).
- (h) (Blank).
- (i) (Blank).
- (j) (Blank).

(j-5) Prior to commencement of facility operations, the Department shall adopt rules providing for the establishment and collection of fees and charges with respect to the use of the disposal facility as provided in subsection (f) of this Section.

(k) The regional disposal facility shall be subject to ad valorem real estate taxes lawfully imposed by units of local government and school districts with jurisdiction over the facility. No other local government tax, surtax, fee or other charge on activities at the regional disposal facility shall be allowed except as authorized by the Department.

(l) The Department shall have the power, in the event that acceptance of waste for disposal at the regional disposal facility is suspended, delayed or interrupted, to impose emergency fees on the generators of low-level radioactive waste. Generators shall pay emergency fees within 30 days of receipt of notice of the emergency fees. The Department shall deposit all of the receipts of any fees collected under this subsection into the Low-Level Radioactive Waste Facility Development and Operation Fund created under subsection (b) of Section 14. Emergency fees may be used to mitigate the impacts of the suspension or interruption of acceptance of waste for disposal. The requirements for rulemaking in the Illinois Administrative Procedure Act shall not apply to the imposition of emergency fees under this subsection.

(m) The Department shall promulgate any other rules and regulations as may be necessary to implement this Section.

(Source: P.A. 92-276, eff. 8-7-01.)"

Section 10-169. The Pretrial Services Act is amended by changing Section 33 as follows:

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(725 ILCS 185/33) (from Ch. 38, par. 333)

Sec. 33. The Supreme Court shall pay from funds appropriated to it for this purpose 100% of all approved costs for pretrial services, including pretrial services officers, necessary support personnel, travel costs reasonably related to the delivery of pretrial services, space costs, equipment, telecommunications, postage, commodities, printing and contractual services. Costs shall be reimbursed monthly, based on a plan and budget approved by the Supreme Court. No department may be reimbursed for costs which exceed or are not provided for in the approved plan and budget. For State fiscal ~~years year~~ 2004 and 2005 only, the Mandatory Arbitration Fund may be used to reimburse approved costs for pretrial services.
(Source: P.A. 93-25, eff. 6-20-03.)

Section 10-170. The Unified Code of Corrections is amended by changing Section 3-2-2 as follows:
(730 ILCS 5/3-2-2) (from Ch. 38, par. 1003-2-2)

Sec. 3-2-2. Powers and Duties of the Department.

(1) In addition to the powers, duties and responsibilities which are otherwise provided by law, the Department shall have the following powers:

(a) To accept persons committed to it by the courts of this State for care, custody, treatment and rehabilitation, and to accept federal prisoners and aliens over whom the Office of the Federal Detention Trustee is authorized to exercise the federal detention function for limited purposes and periods of time.

(b) To develop and maintain reception and evaluation units for purposes of analyzing the custody and rehabilitation needs of persons committed to it and to assign such persons to institutions and programs under its control or transfer them to other appropriate agencies. In consultation with the Department of Alcoholism and Substance Abuse (now the Department of Human Services), the Department of Corrections shall develop a master plan for the screening and evaluation of persons committed to its custody who have alcohol or drug abuse problems, and for making appropriate treatment available to such persons; the Department shall report to the General Assembly on such plan not later than April 1, 1987. The maintenance and implementation of such plan shall be contingent upon the availability of funds.

(b-1) To create and implement, on January 1, 2002, a pilot program to establish the effectiveness of pupillometer technology (the measurement of the pupil's reaction to light) as an alternative to a urine test for purposes of screening and evaluating persons committed to its custody who have alcohol or drug problems. The pilot program shall require the pupillometer technology to be used in at least one Department of Corrections facility. The Director may expand the pilot program to include an additional facility or facilities as he or she deems appropriate. A minimum of 4,000 tests shall be included in the pilot program. The Department must report to the General Assembly on the effectiveness of the program by January 1, 2003.

(b-5) To develop, in consultation with the Department of State Police, a program for tracking and evaluating each inmate from commitment through release for recording his or her gang affiliations, activities, or ranks.

(c) To maintain and administer all State correctional institutions and facilities under its control and to establish new ones as needed. Pursuant to its power to establish new institutions and facilities, the Department may, with the written approval of the Governor, authorize the Department of Central Management Services to enter into an agreement of the type described in subsection (d) of Section 405-300 of the Department of Central Management Services Law (20 ILCS 405/405-300). The Department shall designate those institutions which shall constitute the State Penitentiary System.

Pursuant to its power to establish new institutions and facilities, the Department may authorize the Department of Central Management Services to accept bids from counties and municipalities for the construction, remodeling or conversion of a structure to be leased to the Department of Corrections for the purposes of its serving as a correctional institution or facility. Such construction, remodeling or conversion may be financed with revenue bonds issued pursuant to the Industrial Building Revenue Bond Act by the municipality or county. The lease specified in a bid shall be for a term of not less than the time needed to retire any revenue bonds used to finance the project, but not to exceed 40 years. The lease may grant to the State the option to purchase the structure outright.

Upon receipt of the bids, the Department may certify one or more of the bids and shall submit any such bids to the General Assembly for approval. Upon approval of a bid by a constitutional majority of both houses of the General Assembly, pursuant to joint resolution, the

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Department of Central Management Services may enter into an agreement with the county or municipality pursuant to such bid.

(c-5) To build and maintain regional juvenile detention centers and to charge a per diem to the counties as established by the Department to defray the costs of housing each minor in a center. In this subsection (c-5), "juvenile detention center" means a facility to house minors during pendency of trial who have been transferred from proceedings under the Juvenile Court Act of 1987 to prosecutions under the criminal laws of this State in accordance with Section 5-805 of the Juvenile Court Act of 1987, whether the transfer was by operation of law or permissive under that Section. The Department shall designate the counties to be served by each regional juvenile detention center.

(d) To develop and maintain programs of control, rehabilitation and employment of committed persons within its institutions.

(e) To establish a system of supervision and guidance of committed persons in the community.

(f) To establish in cooperation with the Department of Transportation to supply a sufficient number of prisoners for use by the Department of Transportation to clean up the trash and garbage along State, county, township, or municipal highways as designated by the Department of Transportation. The Department of Corrections, at the request of the Department of Transportation, shall furnish such prisoners at least annually for a period to be agreed upon between the Director of Corrections and the Director of Transportation. The prisoners used on this program shall be selected by the Director of Corrections on whatever basis he deems proper in consideration of their term, behavior and earned eligibility to participate in such program - where they will be outside of the prison facility but still in the custody of the Department of Corrections. Prisoners convicted of first degree murder, or a Class X felony, or armed violence, or aggravated kidnapping, or criminal sexual assault, aggravated criminal sexual abuse or a subsequent conviction for criminal sexual abuse, or forcible detention, or arson, or a prisoner adjudged a Habitual Criminal shall not be eligible for selection to participate in such program. The prisoners shall remain as prisoners in the custody of the Department of Corrections and such Department shall furnish whatever security is necessary. The Department of Transportation shall furnish trucks and equipment for the highway cleanup program and personnel to supervise and direct the program. Neither the Department of Corrections nor the Department of Transportation shall replace any regular employee with a prisoner.

(g) To maintain records of persons committed to it and to establish programs of research, statistics and planning.

(h) To investigate the grievances of any person committed to the Department, to inquire into any alleged misconduct by employees or committed persons, and to investigate the assets of committed persons to implement Section 3-7-6 of this Code; and for these purposes it may issue subpoenas and compel the attendance of witnesses and the production of writings and papers, and may examine under oath any witnesses who may appear before it; to also investigate alleged violations of a parolee's or releasee's conditions of parole or release; and for this purpose it may issue subpoenas and compel the attendance of witnesses and the production of documents only if there is reason to believe that such procedures would provide evidence that such violations have occurred.

If any person fails to obey a subpoena issued under this subsection, the Director may apply to any circuit court to secure compliance with the subpoena. The failure to comply with the order of the court issued in response thereto shall be punishable as contempt of court.

(i) To appoint and remove the chief administrative officers, and administer programs of training and development of personnel of the Department. Personnel assigned by the Department to be responsible for the custody and control of committed persons or to investigate the alleged misconduct of committed persons or employees or alleged violations of a parolee's or releasee's conditions of parole shall be conservators of the peace for those purposes, and shall have the full power of peace officers outside of the facilities of the Department in the protection, arrest, retaking and reconfining of committed persons or where the exercise of such power is necessary to the investigation of such misconduct or violations.

(j) To cooperate with other departments and agencies and with local communities for the development of standards and programs for better correctional services in this State.

(k) To administer all moneys and properties of the Department.

(l) To report annually to the Governor on the committed persons, institutions and programs of the Department.

(l-5) In a confidential annual report to the Governor, the Department shall identify all inmate gangs by specifying each current gang's name, population and allied gangs. The Department shall further specify the number of top leaders identified by the Department for each gang during the past year, and the measures taken by the Department to segregate each leader from his or her gang and allied gangs. The Department shall further report the current status of leaders identified and segregated in previous years. All leaders described in the report shall be identified by inmate number or other designation to enable tracking, auditing, and verification without revealing the names of the leaders. Because this report contains law enforcement intelligence information collected by the Department, the report is confidential and not subject to public disclosure.

(m) To make all rules and regulations and exercise all powers and duties vested by law in the Department.

(n) To establish rules and regulations for administering a system of good conduct credits, established in accordance with Section 3-6-3, subject to review by the Prisoner Review Board.

(o) To administer the distribution of funds from the State Treasury to reimburse counties where State penal institutions are located for the payment of assistant state's attorneys' salaries under Section 4-2001 of the Counties Code.

(p) To exchange information with the Department of Human Services and the Illinois Department of Public Aid for the purpose of verifying living arrangements and for other purposes directly connected with the administration of this Code and the Illinois Public Aid Code.

(q) To establish a diversion program.

The program shall provide a structured environment for selected technical parole or mandatory supervised release violators and committed persons who have violated the rules governing their conduct while in work release. This program shall not apply to those persons who have committed a new offense while serving on parole or mandatory supervised release or while committed to work release.

Elements of the program shall include, but shall not be limited to, the following:

- (1) The staff of a diversion facility shall provide supervision in accordance with required objectives set by the facility.
- (2) Participants shall be required to maintain employment.
- (3) Each participant shall pay for room and board at the facility on a sliding-scale basis according to the participant's income.
- (4) Each participant shall:
 - (A) provide restitution to victims in accordance with any court order;
 - (B) provide financial support to his dependents; and
 - (C) make appropriate payments toward any other court-ordered obligations.
- (5) Each participant shall complete community service in addition to employment.
- (6) Participants shall take part in such counseling, educational and other programs as the Department may deem appropriate.
- (7) Participants shall submit to drug and alcohol screening.
- (8) The Department shall promulgate rules governing the administration of the program.

(r) To enter into intergovernmental cooperation agreements under which persons in the custody of the Department may participate in a county impact incarceration program established under Section 3-6038 or 3-15003.5 of the Counties Code.

(r-5) To enter into intergovernmental cooperation agreements under which minors adjudicated delinquent and committed to the Department of Corrections, Juvenile Division, may participate in a county juvenile impact incarceration program established under Section 3-6039 of the Counties Code.

(r-10) To systematically and routinely identify with respect to each streetgang active within the correctional system: (1) each active gang; (2) every existing inter-gang affiliation or alliance; and (3) the current leaders in each gang. The Department shall promptly segregate leaders from inmates who belong to their gangs and allied gangs. "Segregate" means no physical contact and, to the extent possible under the conditions and space available at the correctional facility, prohibition of visual and sound communication. For the purposes of this paragraph (r-10), "leaders" means persons who:

- (i) are members of a criminal streetgang;
- (ii) with respect to other individuals within the streetgang, occupy a position of organizer, supervisor, or other position of management or leadership; and

(iii) are actively and personally engaged in directing, ordering, authorizing, or requesting commission of criminal acts by others, which are punishable as a felony, in furtherance of streetgang related activity both within and outside of the Department of Corrections.

"Streetgang", "gang", and "streetgang related" have the meanings ascribed to them in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(s) To operate a super-maximum security institution, in order to manage and supervise inmates who are disruptive or dangerous and provide for the safety and security of the staff and the other inmates.

(t) To monitor any unprivileged conversation or any unprivileged communication, whether in person or by mail, telephone, or other means, between an inmate who, before commitment to the Department, was a member of an organized gang and any other person without the need to show cause or satisfy any other requirement of law before beginning the monitoring, except as constitutionally required. The monitoring may be by video, voice, or other method of recording or by any other means. As used in this subdivision (1)(t), "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

As used in this subdivision (1)(t), "unprivileged conversation" or "unprivileged communication" means a conversation or communication that is not protected by any privilege recognized by law or by decision, rule, or order of the Illinois Supreme Court.

(u) To establish a Women's and Children's Pre-release Community Supervision Program for the purpose of providing housing and services to eligible female inmates, as determined by the Department, and their newborn and young children.

(v) To do all other acts necessary to carry out the provisions of this Chapter.

(2) The Department of Corrections shall by January 1, 1998, consider building and operating a correctional facility within 100 miles of a county of over 2,000,000 inhabitants, especially a facility designed to house juvenile participants in the impact incarceration program.

(3) When the Department lets bids for contracts for medical services to be provided to persons committed to Department facilities by a health maintenance organization, medical service corporation, or other health care provider, the bid may only be let to a health care provider that has obtained an irrevocable letter of credit or performance bond issued by a company whose bonds are rated AAA by a bond rating organization.

(4) When the Department lets bids for contracts for food or commissary services to be provided to Department facilities, the bid may only be let to a food or commissary services provider that has obtained an irrevocable letter of credit or performance bond issued by a company whose bonds are rated AAA by a bond rating organization.

(Source: P.A. 91-239, eff. 1-1-00; 91-357, eff. 7-29-99; 92-444, eff. 1-1-02; 92-712, eff. 1-1-03.)

Section 10-175. The Probation and Probation Officers Act is amended by changing Sections 15 and 15.1 as follows:

(730 ILCS 110/15) (from Ch. 38, par. 204-7)

Sec. 15. (1) The Supreme Court of Illinois may establish a Division of Probation Services whose purpose shall be the development, establishment, promulgation, and enforcement of uniform standards for probation services in this State, and to otherwise carry out the intent of this Act. The Division may:

(a) establish qualifications for chief probation officers and other probation and court services personnel as to hiring, promotion, and training.

(b) make available, on a timely basis, lists of those applicants whose qualifications meet the regulations referred to herein, including on said lists all candidates found qualified.

(c) establish a means of verifying the conditions for reimbursement under this Act and develop criteria for approved costs for reimbursement.

(d) develop standards and approve employee compensation schedules for probation and court services departments.

(e) employ sufficient personnel in the Division to carry out the functions of the Division.

(f) establish a system of training and establish standards for personnel orientation and training.

(g) develop standards for a system of record keeping for cases and programs, gather statistics, establish a system of uniform forms, and develop research for planning of Probation Services.

(h) develop standards to assure adequate support personnel, office space, equipment and

supplies, travel expenses, and other essential items necessary for Probation and Court Services Departments to carry out their duties.

- (i) review and approve annual plans submitted by Probation and Court Services Departments.
- (j) monitor and evaluate all programs operated by Probation and Court Services Departments, and may include in the program evaluation criteria such factors as the percentage of Probation sentences for felons convicted of Probationable offenses.
- (k) seek the cooperation of local and State government and private agencies to improve the quality of probation and court services.
- (l) where appropriate, establish programs and corresponding standards designed to generally improve the quality of probation and court services and reduce the rate of adult or juvenile offenders committed to the Department of Corrections.
- (m) establish such other standards and regulations and do all acts necessary to carry out the intent and purposes of this Act.

The Division shall establish a model list of structured intermediate sanctions that may be imposed by a probation agency for violations of terms and conditions of a sentence of probation, conditional discharge, or supervision.

The State of Illinois shall provide for the costs of personnel, travel, equipment, telecommunications, postage, commodities, printing, space, contractual services and other related costs necessary to carry out the intent of this Act.

(2) (a) The chief judge of each circuit shall provide full-time probation services for all counties within the circuit, in a manner consistent with the annual probation plan, the standards, policies, and regulations established by the Supreme Court. A probation district of two or more counties within a circuit may be created for the purposes of providing full-time probation services. Every county or group of counties within a circuit shall maintain a probation department which shall be under the authority of the Chief Judge of the circuit or some other judge designated by the Chief Judge. The Chief Judge, through the Probation and Court Services Department shall submit annual plans to the Division for probation and related services.

(b) The Chief Judge of each circuit shall appoint the Chief Probation Officer and all other probation officers for his or her circuit from lists of qualified applicants supplied by the Supreme Court. Candidates for chief managing officer and other probation officer positions must apply with both the Chief Judge of the circuit and the Supreme Court.

(3) A Probation and Court Service Department shall apply to the Supreme Court for funds for basic services, and may apply for funds for new and expanded programs or Individualized Services and Programs. Costs shall be reimbursed monthly based on a plan and budget approved by the Supreme Court. No Department may be reimbursed for costs which exceed or are not provided for in the approved annual plan and budget. After the effective date of this amendatory Act of 1985, each county must provide basic services in accordance with the annual plan and standards created by the division. No department may receive funds for new or expanded programs or individualized services and programs unless they are in compliance with standards as enumerated in paragraph (h) of subsection (1) of this Section, the annual plan, and standards for basic services.

(4) The Division shall reimburse the county or counties for probation services as follows:

- (a) 100% of the salary of all chief managing officers designated as such by the Chief Judge and the division.
- (b) 100% of the salary for all probation officer and supervisor positions approved for reimbursement by the division after April 1, 1984, to meet workload standards and to implement intensive sanction and probation supervision programs and other basic services as defined in this Act.
- (c) 100% of the salary for all secure detention personnel and non-secure group home personnel approved for reimbursement after December 1, 1990. For all such positions approved for reimbursement before December 1, 1990, the counties shall be reimbursed \$1,250 per month beginning July 1, 1995, and an additional \$250 per month beginning each July 1st thereafter until the positions receive 100% salary reimbursement. Allocation of such positions will be based on comparative need considering capacity, staff/resident ratio, physical plant and program.
- (d) \$1,000 per month for salaries for the remaining probation officer positions engaged in basic services and new or expanded services. All such positions shall be approved by the division in accordance with this Act and division standards.
- (e) 100% of the travel expenses in accordance with Division standards for all Probation positions approved under paragraph (b) of subsection 4 of this Section.

(f) If the amount of funds reimbursed to the county under paragraphs (a) through (e) of subsection 4 of this Section on an annual basis is less than the amount the county had received during the 12 month period immediately prior to the effective date of this amendatory Act of 1985, then the Division shall reimburse the amount of the difference to the county. The effect of paragraph (b) of subsection 7 of this Section shall be considered in implementing this supplemental reimbursement provision.

(5) The Division shall provide funds beginning on April 1, 1987 for the counties to provide Individualized Services and Programs as provided in Section 16 of this Act.

(6) A Probation and Court Services Department in order to be eligible for the reimbursement must submit to the Supreme Court an application containing such information and in such a form and by such dates as the Supreme Court may require. Departments to be eligible for funding must satisfy the following conditions:

(a) The Department shall have on file with the Supreme Court an annual Probation plan for continuing, improved, and new Probation and Court Services Programs approved by the Supreme Court or its designee. This plan shall indicate the manner in which Probation and Court Services will be delivered and improved, consistent with the minimum standards and regulations for Probation and Court Services, as established by the Supreme Court. In counties with more than one Probation and Court Services Department eligible to receive funds, all Departments within that county must submit plans which are approved by the Supreme Court.

(b) The annual probation plan shall seek to generally improve the quality of probation services and to reduce the commitment of adult and juvenile offenders to the Department of Corrections and shall require, when appropriate, coordination with the Department of Corrections and the Department of Children and Family Services in the development and use of community resources, information systems, case review and permanency planning systems to avoid the duplication of services.

(c) The Department shall be in compliance with standards developed by the Supreme Court for basic, new and expanded services, training, personnel hiring and promotion.

(d) The Department shall in its annual plan indicate the manner in which it will support the rights of crime victims and in which manner it will implement Article I, Section 8.1 of the Illinois Constitution and in what manner it will coordinate crime victims' support services with other criminal justice agencies within its jurisdiction, including but not limited to, the State's Attorney, the Sheriff and any municipal police department.

(7) No statement shall be verified by the Supreme Court or its designee or vouchered by the Comptroller unless each of the following conditions have been met:

(a) The probation officer is a full-time employee appointed by the Chief Judge to provide probation services.

(b) The probation officer, in order to be eligible for State reimbursement, is receiving a salary of at least \$17,000 per year.

(c) The probation officer is appointed or was reappointed in accordance with minimum qualifications or criteria established by the Supreme Court; however, all probation officers appointed prior to January 1, 1978, shall be exempted from the minimum requirements established by the Supreme Court. Payments shall be made to counties employing these exempted probation officers as long as they are employed in the position held on the effective date of this amendatory Act of 1985. Promotions shall be governed by minimum qualifications established by the Supreme Court.

(d) The Department has an established compensation schedule approved by the Supreme Court. The compensation schedule shall include salary ranges with necessary increments to compensate each employee. The increments shall, within the salary ranges, be based on such factors as bona fide occupational qualifications, performance, and length of service. Each position in the Department shall be placed on the compensation schedule according to job duties and responsibilities of such position. The policy and procedures of the compensation schedule shall be made available to each employee.

(8) In order to obtain full reimbursement of all approved costs, each Department must continue to employ at least the same number of probation officers and probation managers as were authorized for employment for the fiscal year which includes January 1, 1985. This number shall be designated as the base amount of the Department. No positions approved by the Division under paragraph (b) of subsection 4 will be included in the base amount. In the event that the Department employs fewer Probation officers and Probation managers than the base amount for a period of 90 days, funding received by the Department under subsection 4 of this Section may be reduced on a monthly basis by

the amount of the current salaries of any positions below the base amount.

(9) Before the 15th day of each month, the treasurer of any county which has a Probation and Court Services Department, or the treasurer of the most populous county, in the case of a Probation or Court Services Department funded by more than one county, shall submit an itemized statement of all approved costs incurred in the delivery of Basic Probation and Court Services under this Act to the Supreme Court. The treasurer may also submit an itemized statement of all approved costs incurred in the delivery of new and expanded Probation and Court Services as well as Individualized Services and Programs. The Supreme Court or its designee shall verify compliance with this Section and shall examine and audit the monthly statement and, upon finding them to be correct, shall forward them to the Comptroller for payment to the county treasurer. In the case of payment to a treasurer of a county which is the most populous of counties sharing the salary and expenses of a Probation and Court Services Department, the treasurer shall divide the money between the counties in a manner that reflects each county's share of the cost incurred by the Department.

(10) The county treasurer must certify that funds received under this Section shall be used solely to maintain and improve Probation and Court Services. The county or circuit shall remain in compliance with all standards, policies and regulations established by the Supreme Court. If at any time the Supreme Court determines that a county or circuit is not in compliance, the Supreme Court shall immediately notify the Chief Judge, county board chairman and the Director of Court Services Chief Probation Officer. If after 90 days of written notice the noncompliance still exists, the Supreme Court shall be required to reduce the amount of monthly reimbursement by 10%. An additional 10% reduction of monthly reimbursement shall occur for each consecutive month of noncompliance. Except as provided in subsection 5 of Section 15, funding to counties shall commence on April 1, 1986. Funds received under this Act shall be used to provide for Probation Department expenses including those required under Section 13 of this Act. For State fiscal ~~years year~~ 2004 and 2005 only, the Mandatory Arbitration Fund may be used to provide for Probation Department expenses, including those required under Section 13 of this Act.

(11) The respective counties shall be responsible for capital and space costs, fringe benefits, clerical costs, equipment, telecommunications, postage, commodities and printing.

(12) For purposes of this Act only, probation officers shall be considered peace officers. In the exercise of their official duties, probation officers, sheriffs, and police officers may, anywhere within the State, arrest any probationer who is in violation of any of the conditions of his or her probation, conditional discharge, or supervision, and it shall be the duty of the officer making the arrest to take the probationer before the Court having jurisdiction over the probationer for further order.

(Source: P.A. 93-25, eff. 6-20-03; 93-576, eff. 1-1-04; revised 9-23-03.)

(730 ILCS 110/15.1) (from Ch. 38, par. 204-7.1)

Sec. 15.1. Probation and Court Services Fund.

(a) The county treasurer in each county shall establish a probation and court services fund consisting of fees collected pursuant to subsection (i) of Section 5-6-3 and subsection (i) of Section 5-6-3.1 of the Unified Code of Corrections, subsection (10) of Section 5-615 and subsection (5) of Section 5-715 of the Juvenile Court Act of 1987, and paragraph 14.3 of subsection (b) of Section 110-10 of the Code of Criminal Procedure of 1963. The county treasurer shall disburse monies from the fund only at the direction of the chief judge of the circuit court in such circuit where the county is located. The county treasurer of each county shall, on or before January 10 of each year, submit an annual report to the Supreme Court.

(b) Monies in the probation and court services fund shall be appropriated by the county board to be used within the county or jurisdiction where collected in accordance with policies and guidelines approved by the Supreme Court for the costs of operating the probation and court services department or departments; however, except as provided in subparagraph (g), monies in the probation and court services fund shall not be used for the payment of salaries of probation and court services personnel.

(c) Monies expended from the probation and court services fund shall be used to supplement, not supplant, county appropriations for probation and court services.

(d) Interest earned on monies deposited in a probation and court services fund may be used by the county for its ordinary and contingent expenditures.

(e) The county board may appropriate moneys from the probation and court services fund, upon the direction of the chief judge, to support programs that are part of the continuum of juvenile delinquency intervention programs which are or may be developed within the county. The grants from the probation and court services fund shall be for no more than one year and may be used for any expenses attributable to the program including administration and oversight of the program by the probation department.

(f) The county board may appropriate moneys from the probation and court services fund, upon the direction of the chief judge, to support practices endorsed or required under the Sex Offender Management Board Act, including but not limited to sex offender evaluation, treatment, and monitoring programs that are or may be developed within the county.

(g) For the State Fiscal Year 2005 only, the Administrative Office of the Illinois Courts may permit a county or circuit to use its probation and court services fund for the payment of salaries of probation officers and other court services personnel whose salaries are reimbursed under this Act if the State's FY2005 appropriation to the Supreme Court for reimbursement to counties for probation salaries and services is less than the amount appropriated to the Supreme Court for these purposes for State Fiscal Year 2004. The Administrative Office of the Illinois Courts shall take into account any annual surplus or deficit that any county or circuit has in its probation and court services fund and any amounts already obligated from such fund when apportioning the total reimbursement for each county or circuit.

(Source: P.A. 92-329, eff. 8-9-01; 93-616, eff. 1-1-04.)

Section 10-178. The Code of Civil Procedure is amended by changing Section 2-1009A as follows:
(735 ILCS 5/2-1009A) (from Ch. 110, par. 2-1009A)

Sec. 2-1009A. Filing Fees. In each county authorized by the Supreme Court to utilize mandatory arbitration, the clerk of the circuit court shall charge and collect, in addition to any other fees, an arbitration fee of \$8, except in counties with 3,000,000 or more inhabitants the fee shall be \$10, at the time of filing the first pleading, paper or other appearance filed by each party in all civil cases, but no additional fee shall be required if more than one party is represented in a single pleading, paper or other appearance. Arbitration fees received by the clerk of the circuit court pursuant to this Section shall be remitted within one month after receipt to the State Treasurer for deposit into the Mandatory Arbitration Fund, a special fund in the State treasury for the purpose of funding mandatory arbitration programs and such other alternative dispute resolution programs as may be authorized by circuit court rule for operation in counties that have implemented mandatory arbitration, with a separate account being maintained for each county. Notwithstanding any other provision of this Section to the contrary, and for State fiscal ~~years year~~ 2004 and 2005 only, ~~up to \$5,500,000 of~~ the Mandatory Arbitration Fund may be used for any other purpose authorized by the Supreme Court.

(Source: P.A. 93-25, eff. 6-20-03.)

Section 10-180. The Illinois Pre-Need Cemetery Sales Act is amended by changing Section 22 as follows:

(815 ILCS 390/22) (from Ch. 21, par. 222)

Sec. 22. Cemetery Consumer Protection Fund.

(a) Every seller engaging in pre-need sales shall pay to the Comptroller \$5 for each said contract entered into, to be paid into a special income earning fund hereby created in the State Treasury, known as the Cemetery Consumer Protection Fund. The above said fees shall be remitted to the Comptroller semi-annually within 30 days after the end of June and December for all contracts that have been entered in such 6 month period.

(b) All monies paid into the fund together with all accumulated undistributed income thereon shall be held as a special fund in the State Treasury. The fund shall be used solely for the purpose of providing restitution to consumers who have suffered pecuniary loss arising out of pre-need sales or to satisfy Receiver's fees ordered by the Circuit Court prior to June 30, 2004.

(c) The fund shall be applied only to restitution or completion of the project or delivery of the merchandise or services, where such has been ordered by the Circuit Court in a lawsuit brought under this Act by the Attorney General of the State of Illinois on behalf of the Comptroller and in which it has been determined by the Court that the obligation is non-collectible from the judgment debtor. Restitution shall not exceed the amount of the sales price paid plus interest at the statutory rate. The fund shall not be used for the payment of any attorney or other fees.

(d) Whenever restitution is paid by the fund, the fund shall be subrogated to the amount of such restitution, and the Comptroller shall request the Attorney General to engage in all reasonable post judgment collection steps to collect said restitution from the judgment debtor and reimburse the fund.

(e) The fund shall not be applied toward any restitution for losses in any lawsuit initiated by the Attorney General or Comptroller or with respect to any claim made on pre-need sales which occurred prior to the effective date of this Act.

(f) The fund may not be allocated for any purpose other than that specified in this Act.

(g) Notwithstanding any other provision of this Section, the payment of restitution from the fund

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shall be a matter of grace and not of right and no purchaser shall have any vested rights in the fund as a beneficiary or otherwise. Prior to seeking restitution from the fund, a purchaser or beneficiary seeking payment of restitution shall apply for restitution on a form provided by the Comptroller. The form shall include any information the Comptroller may reasonably require in order for the Court to determine that restitution or completion of the project or delivery of merchandise or service is appropriate.

(h) Annually, the status of the fund shall be reviewed by the Comptroller, and if he determines that the fund together with all accumulated income earned thereon, equals or exceeds \$10,000,000 and that the total number of outstanding claims filed against the fund is less than 10% of the fund's current balance, then payments to the fund shall be suspended until such time as the fund's balance drops below \$10,000,000 or the total number of outstanding claims filed against the fund is more than 10% of the fund's current balance, but on such suspension, the fund shall not be considered inactive. (Source: P.A. 92-419, eff. 1-1-02.)

Section 10-185. The State Employees Group Insurance Act of 1971 is amended by changing Sections 3 and 10 as follows:

(5 ILCS 375/3) (from Ch. 127, par. 523)

Sec. 3. Definitions. Unless the context otherwise requires, the following words and phrases as used in this Act shall have the following meanings. The Department may define these and other words and phrases separately for the purpose of implementing specific programs providing benefits under this Act.

(a) "Administrative service organization" means any person, firm or corporation experienced in the handling of claims which is fully qualified, financially sound and capable of meeting the service requirements of a contract of administration executed with the Department.

(b) "Annuitant" means (1) an employee who retires, or has retired, on or after January 1, 1966 on an immediate annuity under the provisions of Articles 2, 14 (including an employee who has elected to receive an alternative retirement cancellation payment under Section 14-108.5 of the Illinois Pension Code in lieu of an annuity), 15 (including an employee who has retired under the optional retirement program established under Section 15-158.2), paragraphs (2), (3), or (5) of Section 16-106, or Article 18 of the Illinois Pension Code; (2) any person who was receiving group insurance coverage under this Act as of March 31, 1978 by reason of his status as an annuitant, even though the annuity in relation to which such coverage was provided is a proportional annuity based on less than the minimum period of service required for a retirement annuity in the system involved; (3) any person not otherwise covered by this Act who has retired as a participating member under Article 2 of the Illinois Pension Code but is ineligible for the retirement annuity under Section 2-119 of the Illinois Pension Code; (4) the spouse of any person who is receiving a retirement annuity under Article 18 of the Illinois Pension Code and who is covered under a group health insurance program sponsored by a governmental employer other than the State of Illinois and who has irrevocably elected to waive his or her coverage under this Act and to have his or her spouse considered as the "annuitant" under this Act and not as a "dependent"; or (5) an employee who retires, or has retired, from a qualified position, as determined according to rules promulgated by the Director, under a qualified local government or a qualified rehabilitation facility or a qualified domestic violence shelter or service. (For definition of "retired employee", see (p) post).

(b-5) "New SERS annuitant" means a person who, on or after January 1, 1998, becomes an annuitant, as defined in subsection (b), by virtue of beginning to receive a retirement annuity under Article 14 of the Illinois Pension Code (including an employee who has elected to receive an alternative retirement cancellation payment under Section 14-108.5 of that Code in lieu of an annuity), and is eligible to participate in the basic program of group health benefits provided for annuitants under this Act.

(b-6) "New SURS annuitant" means a person who (1) on or after January 1, 1998, becomes an annuitant, as defined in subsection (b), by virtue of beginning to receive a retirement annuity under Article 15 of the Illinois Pension Code, (2) has not made the election authorized under Section 15-135.1 of the Illinois Pension Code, and (3) is eligible to participate in the basic program of group health benefits provided for annuitants under this Act.

(b-7) "New TRS State annuitant" means a person who, on or after July 1, 1998, becomes an annuitant, as defined in subsection (b), by virtue of beginning to receive a retirement annuity under Article 16 of the Illinois Pension Code based on service as a teacher as defined in paragraph (2), (3), or (5) of Section 16-106 of that Code, and is eligible to participate in the basic program of group health benefits provided for annuitants under this Act.

(c) "Carrier" means (1) an insurance company, a corporation organized under the Limited Health Service Organization Act or the Voluntary Health Services Plan Act, a partnership, or other nongovernmental organization, which is authorized to do group life or group health insurance business in Illinois, or (2) the State of Illinois as a self-insurer.

(d) "Compensation" means salary or wages payable on a regular payroll by the State Treasurer on a warrant of the State Comptroller out of any State, trust or federal fund, or by the Governor of the State through a disbursing officer of the State out of a trust or out of federal funds, or by any Department out of State, trust, federal or other funds held by the State Treasurer or the Department, to any person for personal services currently performed, and ordinary or accidental disability benefits under Articles 2, 14, 15 (including ordinary or accidental disability benefits under the optional retirement program established under Section 15-158.2), paragraphs (2), (3), or (5) of Section 16-106, or Article 18 of the Illinois Pension Code, for disability incurred after January 1, 1966, or benefits payable under the Workers' Compensation or Occupational Diseases Act or benefits payable under a sick pay plan established in accordance with Section 36 of the State Finance Act. "Compensation" also means salary or wages paid to an employee of any qualified local government or qualified rehabilitation facility or a qualified domestic violence shelter or service.

(e) "Commission" means the State Employees Group Insurance Advisory Commission authorized by this Act. Commencing July 1, 1984, "Commission" as used in this Act means the Illinois Economic and Fiscal Commission as established by the Legislative Commission Reorganization Act of 1984.

(f) "Contributory", when referred to as contributory coverage, shall mean optional coverages or benefits elected by the member toward the cost of which such member makes contribution, or which are funded in whole or in part through the acceptance of a reduction in earnings or the foregoing of an increase in earnings by an employee, as distinguished from noncontributory coverage or benefits which are paid entirely by the State of Illinois without reduction of the member's salary.

(g) "Department" means any department, institution, board, commission, officer, court or any agency of the State government receiving appropriations and having power to certify payrolls to the Comptroller authorizing payments of salary and wages against such appropriations as are made by the General Assembly from any State fund, or against trust funds held by the State Treasurer and includes boards of trustees of the retirement systems created by Articles 2, 14, 15, 16 and 18 of the Illinois Pension Code. "Department" also includes the Illinois Comprehensive Health Insurance Board, the Board of Examiners established under the Illinois Public Accounting Act, and the Illinois Finance Authority.

(h) "Dependent", when the term is used in the context of the health and life plan, means a member's spouse and any unmarried child (1) from birth to age 19 including an adopted child, a child who lives with the member from the time of the filing of a petition for adoption until entry of an order of adoption, a stepchild or recognized child who lives with the member in a parent-child relationship, or a child who lives with the member if such member is a court appointed guardian of the child, or (2) age 19 to 23 enrolled as a full-time student in any accredited school, financially dependent upon the member, and eligible to be claimed as a dependent for income tax purposes, or (3) age 19 or over who is mentally or physically handicapped. For the health plan only, the term "dependent" also includes any person enrolled prior to the effective date of this Section who is dependent upon the member to the extent that the member may claim such person as a dependent for income tax deduction purposes; no other such person may be enrolled. For the health plan only, the term "dependent" also includes any person who has received after June 30, 2000 an organ transplant and who is financially dependent upon the member and eligible to be claimed as a dependent for income tax purposes.

(i) "Director" means the Director of the Illinois Department of Central Management Services.

(j) "Eligibility period" means the period of time a member has to elect enrollment in programs or to select benefits without regard to age, sex or health.

(k) "Employee" means and includes each officer or employee in the service of a department who (1) receives his compensation for service rendered to the department on a warrant issued pursuant to a payroll certified by a department or on a warrant or check issued and drawn by a department upon a trust, federal or other fund or on a warrant issued pursuant to a payroll certified by an elected or duly appointed officer of the State or who receives payment of the performance of personal services on a warrant issued pursuant to a payroll certified by a Department and drawn by the Comptroller upon the State Treasurer against appropriations made by the General Assembly from any fund or against trust funds held by the State Treasurer, and (2) is employed full-time or part-time in a position normally requiring actual performance of duty during not less than 1/2 of a normal work period, as established by the Director in cooperation with each department, except that persons elected by popular vote will be considered employees during the entire term for which they are elected regardless of hours devoted

to the service of the State, and (3) except that "employee" does not include any person who is not eligible by reason of such person's employment to participate in one of the State retirement systems under Articles 2, 14, 15 (either the regular Article 15 system or the optional retirement program established under Section 15-158.2) or 18, or under paragraph (2), (3), or (5) of Section 16-106, of the Illinois Pension Code, but such term does include persons who are employed during the 6 month qualifying period under Article 14 of the Illinois Pension Code. Such term also includes any person who (1) after January 1, 1966, is receiving ordinary or accidental disability benefits under Articles 2, 14, 15 (including ordinary or accidental disability benefits under the optional retirement program established under Section 15-158.2), paragraphs (2), (3), or (5) of Section 16-106, or Article 18 of the Illinois Pension Code, for disability incurred after January 1, 1966, (2) receives total permanent or total temporary disability under the Workers' Compensation Act or Occupational Disease Act as a result of injuries sustained or illness contracted in the course of employment with the State of Illinois, or (3) is not otherwise covered under this Act and has retired as a participating member under Article 2 of the Illinois Pension Code but is ineligible for the retirement annuity under Section 2-119 of the Illinois Pension Code. However, a person who satisfies the criteria of the foregoing definition of "employee" except that such person is made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code is also an "employee" for the purposes of this Act. "Employee" also includes any person receiving or eligible for benefits under a sick pay plan established in accordance with Section 36 of the State Finance Act. "Employee" also includes each officer or employee in the service of a qualified local government, including persons appointed as trustees of sanitary districts regardless of hours devoted to the service of the sanitary district, and each employee in the service of a qualified rehabilitation facility and each full-time employee in the service of a qualified domestic violence shelter or service, as determined according to rules promulgated by the Director.

(l) "Member" means an employee, annuitant, retired employee or survivor.

(m) "Optional coverages or benefits" means those coverages or benefits available to the member on his or her voluntary election, and at his or her own expense.

(n) "Program" means the group life insurance, health benefits and other employee benefits designed and contracted for by the Director under this Act.

(o) "Health plan" means a health benefits program offered by the State of Illinois for persons eligible for the plan.

(p) "Retired employee" means any person who would be an annuitant as that term is defined herein but for the fact that such person retired prior to January 1, 1966. Such term also includes any person formerly employed by the University of Illinois in the Cooperative Extension Service who would be an annuitant but for the fact that such person was made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code.

(q) "Survivor" means a person receiving an annuity as a survivor of an employee or of an annuitant. "Survivor" also includes: (1) the surviving dependent of a person who satisfies the definition of "employee" except that such person is made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code; ~~and~~ (2) the surviving dependent of any person formerly employed by the University of Illinois in the Cooperative Extension Service who would be an annuitant except for the fact that such person was made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code; ~~and~~ (3) the surviving dependent of a person who was an annuitant under this Act by virtue of receiving an alternative retirement cancellation payment under Section 14-108.5 of the Illinois Pension Code.

(q-2) "SERS" means the State Employees' Retirement System of Illinois, created under Article 14 of the Illinois Pension Code.

(q-3) "SURS" means the State Universities Retirement System, created under Article 15 of the Illinois Pension Code.

(q-4) "TRS" means the Teachers' Retirement System of the State of Illinois, created under Article 16 of the Illinois Pension Code.

(q-5) "New SERS survivor" means a survivor, as defined in subsection (q), whose annuity is paid under Article 14 of the Illinois Pension Code and is based on the death of (i) an employee whose death occurs on or after January 1, 1998, or (ii) a new SERS annuitant as defined in subsection (b-5). "New SERS survivor" includes the surviving dependent of a person who was an annuitant under this Act by virtue of receiving an alternative retirement cancellation payment under Section 14-108.5 of the Illinois Pension Code.

(q-6) "New SURS survivor" means a survivor, as defined in subsection (q), whose annuity is paid under Article 15 of the Illinois Pension Code and is based on the death of (i) an employee whose death occurs on or after January 1, 1998, or (ii) a new SURS annuitant as defined in subsection (b-6).

(q-7) "New TRS State survivor" means a survivor, as defined in subsection (q), whose annuity is paid under Article 16 of the Illinois Pension Code and is based on the death of (i) an employee who is a teacher as defined in paragraph (2), (3), or (5) of Section 16-106 of that Code and whose death occurs on or after July 1, 1998, or (ii) a new TRS State annuitant as defined in subsection (b-7).

(r) "Medical services" means the services provided within the scope of their licenses by practitioners in all categories licensed under the Medical Practice Act of 1987.

(s) "Unit of local government" means any county, municipality, township, school district (including a combination of school districts under the Intergovernmental Cooperation Act), special district or other unit, designated as a unit of local government by law, which exercises limited governmental powers or powers in respect to limited governmental subjects, any not-for-profit association with a membership that primarily includes townships and township officials, that has duties that include provision of research service, dissemination of information, and other acts for the purpose of improving township government, and that is funded wholly or partly in accordance with Section 85-15 of the Township Code; any not-for-profit corporation or association, with a membership consisting primarily of municipalities, that operates its own utility system, and provides research, training, dissemination of information, or other acts to promote cooperation between and among municipalities that provide utility services and for the advancement of the goals and purposes of its membership; the Southern Illinois Collegiate Common Market, which is a consortium of higher education institutions in Southern Illinois; and the Illinois Association of Park Districts. "Qualified local government" means a unit of local government approved by the Director and participating in a program created under subsection (i) of Section 10 of this Act.

(t) "Qualified rehabilitation facility" means any not-for-profit organization that is accredited by the Commission on Accreditation of Rehabilitation Facilities or certified by the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) to provide services to persons with disabilities and which receives funds from the State of Illinois for providing those services, approved by the Director and participating in a program created under subsection (j) of Section 10 of this Act.

(u) "Qualified domestic violence shelter or service" means any Illinois domestic violence shelter or service and its administrative offices funded by the Department of Human Services (as successor to the Illinois Department of Public Aid), approved by the Director and participating in a program created under subsection (k) of Section 10.

(v) "TRS benefit recipient" means a person who:

(1) is not a "member" as defined in this Section; and

(2) is receiving a monthly benefit or retirement annuity under Article 16 of the Illinois Pension Code; and

(3) either (i) has at least 8 years of creditable service under Article 16 of the Illinois Pension Code, or (ii) was enrolled in the health insurance program offered under that Article on January 1, 1996, or (iii) is the survivor of a benefit recipient who had at least 8 years of creditable service under Article 16 of the Illinois Pension Code or was enrolled in the health insurance program offered under that Article on the effective date of this amendatory Act of 1995, or (iv) is a recipient or survivor of a recipient of a disability benefit under Article 16 of the Illinois Pension Code.

(w) "TRS dependent beneficiary" means a person who:

(1) is not a "member" or "dependent" as defined in this Section; and

(2) is a TRS benefit recipient's: (A) spouse, (B) dependent parent who is receiving at least half of his or her support from the TRS benefit recipient, or (C) unmarried natural or adopted child who is (i) under age 19, or (ii) enrolled as a full-time student in an accredited school, financially dependent upon the TRS benefit recipient, eligible to be claimed as a dependent for income tax purposes, and either is under age 24 or was, on January 1, 1996, participating as a dependent beneficiary in the health insurance program offered under Article 16 of the Illinois Pension Code, or (iii) age 19 or over who is mentally or physically handicapped.

(x) "Military leave with pay and benefits" refers to individuals in basic training for reserves, special/advanced training, annual training, emergency call up, or activation by the President of the United States with approved pay and benefits.

(y) "Military leave without pay and benefits" refers to individuals who enlist for active duty in a regular component of the U.S. Armed Forces or other duty not specified or authorized under military

leave with pay and benefits.

(z) "Community college benefit recipient" means a person who:

(1) is not a "member" as defined in this Section; and

(2) is receiving a monthly survivor's annuity or retirement annuity under Article 15 of the Illinois Pension Code; and

(3) either (i) was a full-time employee of a community college district or an association of community college boards created under the Public Community College Act (other than an employee whose last employer under Article 15 of the Illinois Pension Code was a community college district subject to Article VII of the Public Community College Act) and was eligible to participate in a group health benefit plan as an employee during the time of employment with a community college district (other than a community college district subject to Article VII of the Public Community College Act) or an association of community college boards, or (ii) is the survivor of a person described in item (i).

(aa) "Community college dependent beneficiary" means a person who:

(1) is not a "member" or "dependent" as defined in this Section; and

(2) is a community college benefit recipient's: (A) spouse, (B) dependent parent who is receiving at least half of his or her support from the community college benefit recipient, or (C) unmarried natural or adopted child who is (i) under age 19, or (ii) enrolled as a full-time student in an accredited school, financially dependent upon the community college benefit recipient, eligible to be claimed as a dependent for income tax purposes and under age 23, or (iii) age 19 or over and mentally or physically handicapped.

(Source: P.A. 92-16, eff. 6-28-01; 92-186, eff. 1-1-02; 92-204, eff. 8-1-01; 92-651, eff. 7-11-02; 93-205, eff. 1-1-04.)

(5 ILCS 375/10) (from Ch. 127, par. 530)

Sec. 10. Payments by State; premiums.

(a) The State shall pay the cost of basic non-contributory group life insurance and, subject to member paid contributions set by the Department or required by this Section, the basic program of group health benefits on each eligible member, except a member, not otherwise covered by this Act, who has retired as a participating member under Article 2 of the Illinois Pension Code but is ineligible for the retirement annuity under Section 2-119 of the Illinois Pension Code, and part of each eligible member's and retired member's premiums for health insurance coverage for enrolled dependents as provided by Section 9. The State shall pay the cost of the basic program of group health benefits only after benefits are reduced by the amount of benefits covered by Medicare for all members and dependents who are eligible for benefits under Social Security or the Railroad Retirement system or who had sufficient Medicare-covered government employment, except that such reduction in benefits shall apply only to those members and dependents who (1) first become eligible for such Medicare coverage on or after July 1, 1992; or (2) are Medicare-eligible members or dependents of a local government unit which began participation in the program on or after July 1, 1992; or (3) remain eligible for, but no longer receive Medicare coverage which they had been receiving on or after July 1, 1992. The Department may determine the aggregate level of the State's contribution on the basis of actual cost of medical services adjusted for age, sex or geographic or other demographic characteristics which affect the costs of such programs.

The cost of participation in the basic program of group health benefits for the dependent or survivor of a living or deceased retired employee who was formerly employed by the University of Illinois in the Cooperative Extension Service and would be an annuitant but for the fact that he or she was made ineligible to participate in the State Universities Retirement System by clause (4) of subsection (a) of Section 15-107 of the Illinois Pension Code shall not be greater than the cost of participation that would otherwise apply to that dependent or survivor if he or she were the dependent or survivor of an annuitant under the State Universities Retirement System.

(a-1) Beginning January 1, 1998, for each person who becomes a new SERS annuitant and participates in the basic program of group health benefits, the State shall contribute toward the cost of the annuitant's coverage under the basic program of group health benefits an amount equal to 5% of that cost for each full year of creditable service upon which the annuitant's retirement annuity is based, up to a maximum of 100% for an annuitant with 20 or more years of creditable service. The remainder of the cost of a new SERS annuitant's coverage under the basic program of group health benefits shall be the responsibility of the annuitant. In the case of a new SERS annuitant who has elected to receive an alternative retirement cancellation payment under Section 14-108.5 of the Illinois Pension Code in lieu of an annuity, for the purposes of this subsection the annuitant shall be deemed to be receiving a retirement annuity based on the number of years of creditable service that the annuitant had

established at the time of his or her termination of service under SERS.

(a-2) Beginning January 1, 1998, for each person who becomes a new SERS survivor and participates in the basic program of group health benefits, the State shall contribute toward the cost of the survivor's coverage under the basic program of group health benefits an amount equal to 5% of that cost for each full year of the deceased employee's or deceased annuitant's creditable service in the State Employees' Retirement System of Illinois on the date of death, up to a maximum of 100% for a survivor of an employee or annuitant with 20 or more years of creditable service. The remainder of the cost of the new SERS survivor's coverage under the basic program of group health benefits shall be the responsibility of the survivor. In the case of a new SERS survivor who was the dependent of an annuitant who elected to receive an alternative retirement cancellation payment under Section 14-108.5 of the Illinois Pension Code in lieu of an annuity, for the purposes of this subsection the deceased annuitant's creditable service shall be determined as of the date of termination of service rather than the date of death.

(a-3) Beginning January 1, 1998, for each person who becomes a new SERS annuitant and participates in the basic program of group health benefits, the State shall contribute toward the cost of the annuitant's coverage under the basic program of group health benefits an amount equal to 5% of that cost for each full year of creditable service upon which the annuitant's retirement annuity is based, up to a maximum of 100% for an annuitant with 20 or more years of creditable service. The remainder of the cost of a new SERS annuitant's coverage under the basic program of group health benefits shall be the responsibility of the annuitant.

(a-4) (Blank).

(a-5) Beginning January 1, 1998, for each person who becomes a new SERS survivor and participates in the basic program of group health benefits, the State shall contribute toward the cost of the survivor's coverage under the basic program of group health benefits an amount equal to 5% of that cost for each full year of the deceased employee's or deceased annuitant's creditable service in the State Universities Retirement System on the date of death, up to a maximum of 100% for a survivor of an employee or annuitant with 20 or more years of creditable service. The remainder of the cost of the new SERS survivor's coverage under the basic program of group health benefits shall be the responsibility of the survivor.

(a-6) Beginning July 1, 1998, for each person who becomes a new TRS State annuitant and participates in the basic program of group health benefits, the State shall contribute toward the cost of the annuitant's coverage under the basic program of group health benefits an amount equal to 5% of that cost for each full year of creditable service as a teacher as defined in paragraph (2), (3), or (5) of Section 16-106 of the Illinois Pension Code upon which the annuitant's retirement annuity is based, up to a maximum of 100%; except that the State contribution shall be 12.5% per year (rather than 5%) for each full year of creditable service as a regional superintendent or assistant regional superintendent of schools. The remainder of the cost of a new TRS State annuitant's coverage under the basic program of group health benefits shall be the responsibility of the annuitant.

(a-7) Beginning July 1, 1998, for each person who becomes a new TRS State survivor and participates in the basic program of group health benefits, the State shall contribute toward the cost of the survivor's coverage under the basic program of group health benefits an amount equal to 5% of that cost for each full year of the deceased employee's or deceased annuitant's creditable service as a teacher as defined in paragraph (2), (3), or (5) of Section 16-106 of the Illinois Pension Code on the date of death, up to a maximum of 100%; except that the State contribution shall be 12.5% per year (rather than 5%) for each full year of the deceased employee's or deceased annuitant's creditable service as a regional superintendent or assistant regional superintendent of schools. The remainder of the cost of the new TRS State survivor's coverage under the basic program of group health benefits shall be the responsibility of the survivor.

(a-8) A new SERS annuitant, new SERS survivor, new SERS annuitant, new SERS survivor, new TRS State annuitant, or new TRS State survivor may waive or terminate coverage in the program of group health benefits. Any such annuitant or survivor who has waived or terminated coverage may enroll or re-enroll in the program of group health benefits only during the annual benefit choice period, as determined by the Director; except that in the event of termination of coverage due to nonpayment of premiums, the annuitant or survivor may not re-enroll in the program.

(a-9) No later than May 1 of each calendar year, the Director of Central Management Services shall certify in writing to the Executive Secretary of the State Employees' Retirement System of Illinois the amounts of the Medicare supplement health care premiums and the amounts of the health care premiums for all other retirees who are not Medicare eligible.

A separate calculation of the premiums based upon the actual cost of each health care plan shall be

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so certified.

The Director of Central Management Services shall provide to the Executive Secretary of the State Employees' Retirement System of Illinois such information, statistics, and other data as he or she may require to review the premium amounts certified by the Director of Central Management Services.

(b) State employees who become eligible for this program on or after January 1, 1980 in positions normally requiring actual performance of duty not less than 1/2 of a normal work period but not equal to that of a normal work period, shall be given the option of participating in the available program. If the employee elects coverage, the State shall contribute on behalf of such employee to the cost of the employee's benefit and any applicable dependent supplement, that sum which bears the same percentage as that percentage of time the employee regularly works when compared to normal work period.

(c) The basic non-contributory coverage from the basic program of group health benefits shall be continued for each employee not in pay status or on active service by reason of (1) leave of absence due to illness or injury, (2) authorized educational leave of absence or sabbatical leave, or (3) military leave with pay and benefits. This coverage shall continue until expiration of authorized leave and return to active service, but not to exceed 24 months for leaves under item (1) or (2). This 24-month limitation and the requirement of returning to active service shall not apply to persons receiving ordinary or accidental disability benefits or retirement benefits through the appropriate State retirement system or benefits under the Workers' Compensation or Occupational Disease Act.

(d) The basic group life insurance coverage shall continue, with full State contribution, where such person is (1) absent from active service by reason of disability arising from any cause other than self-inflicted, (2) on authorized educational leave of absence or sabbatical leave, or (3) on military leave with pay and benefits.

(e) Where the person is in non-pay status for a period in excess of 30 days or on leave of absence, other than by reason of disability, educational or sabbatical leave, or military leave with pay and benefits, such person may continue coverage only by making personal payment equal to the amount normally contributed by the State on such person's behalf. Such payments and coverage may be continued: (1) until such time as the person returns to a status eligible for coverage at State expense, but not to exceed 24 months, (2) until such person's employment or annuitant status with the State is terminated, or (3) for a maximum period of 4 years for members on military leave with pay and benefits and military leave without pay and benefits (exclusive of any additional service imposed pursuant to law).

(f) The Department shall establish by rule the extent to which other employee benefits will continue for persons in non-pay status or who are not in active service.

(g) The State shall not pay the cost of the basic non-contributory group life insurance, program of health benefits and other employee benefits for members who are survivors as defined by paragraphs (1) and (2) of subsection (q) of Section 3 of this Act. The costs of benefits for these survivors shall be paid by the survivors or by the University of Illinois Cooperative Extension Service, or any combination thereof. However, the State shall pay the amount of the reduction in the cost of participation, if any, resulting from the amendment to subsection (a) made by this amendatory Act of the 91st General Assembly.

(h) Those persons occupying positions with any department as a result of emergency appointments pursuant to Section 8b.8 of the Personnel Code who are not considered employees under this Act shall be given the option of participating in the programs of group life insurance, health benefits and other employee benefits. Such persons electing coverage may participate only by making payment equal to the amount normally contributed by the State for similarly situated employees. Such amounts shall be determined by the Director. Such payments and coverage may be continued until such time as the person becomes an employee pursuant to this Act or such person's appointment is terminated.

(i) Any unit of local government within the State of Illinois may apply to the Director to have its employees, annuitants, and their dependents provided group health coverage under this Act on a non-insured basis. To participate, a unit of local government must agree to enroll all of its employees, who may select coverage under either the State group health benefits plan or a health maintenance organization that has contracted with the State to be available as a health care provider for employees as defined in this Act. A unit of local government must remit the entire cost of providing coverage under the State group health benefits plan or, for coverage under a health maintenance organization, an amount determined by the Director based on an analysis of the sex, age, geographic location, or other relevant demographic variables for its employees, except that the unit of local government shall not be required to enroll those of its employees who are covered spouses or dependents under this plan or another group policy or plan providing health benefits as long as (1) an appropriate official from the

unit of local government attests that each employee not enrolled is a covered spouse or dependent under this plan or another group policy or plan, and (2) at least 85% of the employees are enrolled and the unit of local government remits the entire cost of providing coverage to those employees, except that a participating school district must have enrolled at least 85% of its full-time employees who have not waived coverage under the district's group health plan by participating in a component of the district's cafeteria plan. A participating school district is not required to enroll a full-time employee who has waived coverage under the district's health plan, provided that an appropriate official from the participating school district attests that the full-time employee has waived coverage by participating in a component of the district's cafeteria plan. For the purposes of this subsection, "participating school district" includes a unit of local government whose primary purpose is education as defined by the Department's rules.

Employees of a participating unit of local government who are not enrolled due to coverage under another group health policy or plan may enroll in the event of a qualifying change in status, special enrollment, special circumstance as defined by the Director, or during the annual Benefit Choice Period. A participating unit of local government may also elect to cover its annuitants. Dependent coverage shall be offered on an optional basis, with the costs paid by the unit of local government, its employees, or some combination of the two as determined by the unit of local government. The unit of local government shall be responsible for timely collection and transmission of dependent premiums.

The Director shall annually determine monthly rates of payment, subject to the following constraints:

(1) In the first year of coverage, the rates shall be equal to the amount normally charged to State employees for elected optional coverages or for enrolled dependents coverages or other contributory coverages, or contributed by the State for basic insurance coverages on behalf of its employees, adjusted for differences between State employees and employees of the local government in age, sex, geographic location or other relevant demographic variables, plus an amount sufficient to pay for the additional administrative costs of providing coverage to employees of the unit of local government and their dependents.

(2) In subsequent years, a further adjustment shall be made to reflect the actual prior years' claims experience of the employees of the unit of local government.

In the case of coverage of local government employees under a health maintenance organization, the Director shall annually determine for each participating unit of local government the maximum monthly amount the unit may contribute toward that coverage, based on an analysis of (i) the age, sex, geographic location, and other relevant demographic variables of the unit's employees and (ii) the cost to cover those employees under the State group health benefits plan. The Director may similarly determine the maximum monthly amount each unit of local government may contribute toward coverage of its employees' dependents under a health maintenance organization.

Monthly payments by the unit of local government or its employees for group health benefits plan or health maintenance organization coverage shall be deposited in the Local Government Health Insurance Reserve Fund.

The Local Government Health Insurance Reserve Fund shall be a continuing fund not subject to fiscal year limitations. All expenditures from this Fund shall be used for payments for health care benefits for local government and rehabilitation facility employees, annuitants, and dependents, and to reimburse the Department or its administrative service organization for all expenses incurred in the administration of benefits. No other State funds may be used for these purposes.

A local government employer's participation or desire to participate in a program created under this subsection shall not limit that employer's duty to bargain with the representative of any collective bargaining unit of its employees.

(j) Any rehabilitation facility within the State of Illinois may apply to the Director to have its employees, annuitants, and their eligible dependents provided group health coverage under this Act on a non-insured basis. To participate, a rehabilitation facility must agree to enroll all of its employees and remit the entire cost of providing such coverage for its employees, except that the rehabilitation facility shall not be required to enroll those of its employees who are covered spouses or dependents under this plan or another group policy or plan providing health benefits as long as (1) an appropriate official from the rehabilitation facility attests that each employee not enrolled is a covered spouse or dependent under this plan or another group policy or plan, and (2) at least 85% of the employees are enrolled and the rehabilitation facility remits the entire cost of providing coverage to those employees. Employees of a participating rehabilitation facility who are not enrolled due to coverage under another group health policy or plan may enroll in the event of a qualifying change in status, special enrollment, special circumstance as defined by the Director, or during the annual Benefit Choice

Period. A participating rehabilitation facility may also elect to cover its annuitants. Dependent coverage shall be offered on an optional basis, with the costs paid by the rehabilitation facility, its employees, or some combination of the 2 as determined by the rehabilitation facility. The rehabilitation facility shall be responsible for timely collection and transmission of dependent premiums.

The Director shall annually determine quarterly rates of payment, subject to the following constraints:

(1) In the first year of coverage, the rates shall be equal to the amount normally charged to State employees for elected optional coverages or for enrolled dependents coverages or other contributory coverages on behalf of its employees, adjusted for differences between State employees and employees of the rehabilitation facility in age, sex, geographic location or other relevant demographic variables, plus an amount sufficient to pay for the additional administrative costs of providing coverage to employees of the rehabilitation facility and their dependents.

(2) In subsequent years, a further adjustment shall be made to reflect the actual prior years' claims experience of the employees of the rehabilitation facility.

Monthly payments by the rehabilitation facility or its employees for group health benefits shall be deposited in the Local Government Health Insurance Reserve Fund.

(k) Any domestic violence shelter or service within the State of Illinois may apply to the Director to have its employees, annuitants, and their dependents provided group health coverage under this Act on a non-insured basis. To participate, a domestic violence shelter or service must agree to enroll all of its employees and pay the entire cost of providing such coverage for its employees. A participating domestic violence shelter may also elect to cover its annuitants. Dependent coverage shall be offered on an optional basis, with employees, or some combination of the 2 as determined by the domestic violence shelter or service. The domestic violence shelter or service shall be responsible for timely collection and transmission of dependent premiums.

The Director shall annually determine rates of payment, subject to the following constraints:

(1) In the first year of coverage, the rates shall be equal to the amount normally charged to State employees for elected optional coverages or for enrolled dependents coverages or other contributory coverages on behalf of its employees, adjusted for differences between State employees and employees of the domestic violence shelter or service in age, sex, geographic location or other relevant demographic variables, plus an amount sufficient to pay for the additional administrative costs of providing coverage to employees of the domestic violence shelter or service and their dependents.

(2) In subsequent years, a further adjustment shall be made to reflect the actual prior years' claims experience of the employees of the domestic violence shelter or service.

Monthly payments by the domestic violence shelter or service or its employees for group health insurance shall be deposited in the Local Government Health Insurance Reserve Fund.

(l) A public community college or entity organized pursuant to the Public Community College Act may apply to the Director initially to have only annuitants not covered prior to July 1, 1992 by the district's health plan provided health coverage under this Act on a non-insured basis. The community college must execute a 2-year contract to participate in the Local Government Health Plan. Any annuitant may enroll in the event of a qualifying change in status, special enrollment, special circumstance as defined by the Director, or during the annual Benefit Choice Period.

The Director shall annually determine monthly rates of payment subject to the following constraints: for those community colleges with annuitants only enrolled, first year rates shall be equal to the average cost to cover claims for a State member adjusted for demographics, Medicare participation, and other factors; and in the second year, a further adjustment of rates shall be made to reflect the actual first year's claims experience of the covered annuitants.

(l-5) The provisions of subsection (l) become inoperative on July 1, 1999.

(m) The Director shall adopt any rules deemed necessary for implementation of this amendatory Act of 1989 (Public Act 86-978).

(Source: P.A. 91-280, eff. 7-23-99; 91-311; eff. 7-29-99; 91-357, eff. 7-29-99; 91-390, eff. 7-30-99; 91-395, eff. 7-30-99; 91-617, eff. 8-19-99; 92-16, eff. 6-28-01; revised 2-25-02.)

Section 10-190. The State Finance Act is amended by adding Section 14a.5 as follows:

(30 ILCS 105/14a.5 new)

Sec. 14a.5. Maximum incentive payments for early termination of State service.

(a) The Department of Central Management Services shall create, adopt by emergency rulemaking under the Illinois Administrative Procedure Act through the Joint Committee on Administrative Rules

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by October 1, 2004, and administer a program of incentive payments for early termination of State service. The program shall provide for the payment of a lump sum incentive to certain persons who terminate State employment on or after November 1, 2004 but on or before December 31, 2004. The lump sum payment to any individual under the program shall not exceed 25% of final monthly rate of pay for each completed year of State employment, nor shall it exceed the compensation earned by the individual during the 6 months immediately preceding his or her termination from State service, and is payable out of the personal services appropriation from which the employee's salary is paid. The rules of the program may limit the number of individuals listed under Section 14-108.5(b)(1) of the Illinois Pension Code who may participate in the program and shall specify how the lump sum amount will be determined and vouchered; provided, however, that all employees within the same title shall be provided lump sum amounts on the same terms, varying only due to their time of State service. The director or other head of a department shall limit the number of individuals listed under Section 14-108.5(b)(2) of the Illinois Pension Code who may participate in the program and shall specify the amount of the lump sum and how the lump sum amount will be determined and vouchered.

(b) In addition to the lump sum payment provided under subsection (a), the program may also provide for payment to participants or their health benefit coverage providers of an amount representing the net cost to the participating employee of his or her health benefit coverage under the State Employees Group Insurance Act of 1971 or applicable COBRA (Consolidated Omnibus Budget Reconciliation Act of 1985) insurance continuation provisions for up to 6 months immediately following termination of State service. The amount payable to any participant under this subsection shall not exceed \$3,600 and is payable out of the personal services appropriation from which the employee's salary is paid. The program rules shall specify how the amount payable under this subsection will be determined and vouchered.

(c) The program authorized under this Section applies only to a person who (1) was an active employee of the State of Illinois on any day during June 2004 in a position listed in subsection (b) of Section 14-108.5 of the Illinois Pension Code and was continuously employed in a position listed in subsection (b) of Section 14-108.5 of the Illinois Pension Code on and after January 1, 2004, (2) applies in writing to the Department of Central Management Services, in the case of a person listed under Section 14-108.5(b)(1) of the Illinois Pension Code, or to the director or other head of the department at which he or she is employed, in the case of a person listed under Section 14-108.5(b)(2) of the Illinois Pension Code, on or before October 31, 2004, (3) does not accept an alternative retirement cancellation payment under Section 14-108.5 of the Illinois Pension Code, and (4) terminates his or her State employment on or before December 31, 2004.

(d) A participant in the program who returns to State employment (other than as an elected official or as a temporary employee for not more than 75 days per calendar year) thereby forfeits the incentive payments received under the program and must repay those amounts to the Department of Central Management Services, in the case of a person listed under Section 14-108.5(b)(1) of the Illinois Pension Code, or to the department at which he or she is employed, in the case of a person listed under Section 14-108.5(b)(2) of the Illinois Pension Code, within 60 days after his or her return to State employment.

Section 10-195. The Illinois Pension Code is amended by adding Sections 14-104.12 and 14-108.5 and changing Section 14-130 as follows:

(40 ILCS 5/14-104.12 new)

Sec. 14-104.12. Early termination incentives under the State Finance Act. Notwithstanding any other provision of this Article and notwithstanding that they may be payable from a personal services line item, early termination incentives paid under Section 14a.5 of the State Finance Act:

(1) shall not be included in, and do not affect the calculation of, compensation or final average compensation under this Article;

(2) do not entitle the recipient to establish any additional service credit under this Article;

(3) do not require and shall not result in the payment of any employee or employer contributions under this Article; and

(4) have no effect under this Article except to disqualify the recipient from receiving the alternative retirement cancellation payment under Section 14-108.5.

(40 ILCS 5/14-108.5 new)

Sec. 14-108.5. Alternative retirement cancellation payment.

(a) To be eligible for the alternative retirement cancellation payment provided in this Section, a person must:

(1) be a member of this System who, on any day during June 2004, was (i) in active payroll status

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as an employee in a position listed in subsection (b) of this Section and continuously employed in a position listed in subsection (b) on and after January 1, 2004 and (ii) an active contributor to this System with respect to that employment;

(2) have not previously received any retirement annuity under this Article;

(3) not accept an incentive payment under Section 14a.5 of the State Finance Act;

(4) in the case of persons employed in a position title listed under paragraph (1) of subsection (b), be among the first 3,000 persons to file with the Board on or before September 30, 2004 a written application requesting the alternative retirement cancellation payment provided in this Section;

(5) in the case of persons employed in a position title listed under paragraph (2) of subsection (b), have received written authorization from the director or other head of his or her department and filed that authorization with the system on or before September 1, 2004;

(6) if there is a QILDRO in effect against the person, file with the Board the written consent of all alternate payees under the QILDRO to the election of an alternative retirement cancellation payment under this Section; and

(7) terminate employment under this Article within 2 weeks after approval of the person's application requesting the alternative retirement cancellation payment, but in no event later than October 31, 2004.

(b)(1) Position titles eligible for the alternative retirement cancellation payment provided in this Section are:

911 Analyst III; Brickmason; Account Clerk I and II; Budget Analyst I and II; Account Technician I and II; Budget Operations Director; Accountant; Budget Principal; Accountant Advanced; Building Services Worker; Accountant Supervisor; Building/Grounds Laborer; Accounting Fiscal Administrative Career Trainee; Building/Grounds Lead 1 and 2; Accounts Payable Processing Analyst; Building/Grounds Maintenance Worker; Accounts Payable Specialist; Building/Grounds Supervisor; Accounts Processing Analyst; Bureau Chief; Actuarial Assistant; Business Administrative Specialist; Administrative and Technology Director; Business Analyst I through IV; Administrative Assistant I through III; Business Manager; Administrative Clerk; Buyer; Administrative Coordinator; Buyer Assistant; Administrator; Capital Budget Analyst I and II; Administrator of Capital Programs; Capital Budget Director; Administrator of Construction Administration; Capital Programs Analyst I and II; Administrator of Contract Administration; Capital Programs Technician; Administrator of Fair Employment Practices; Carpenter; Administrator of Fiscal; Carpenter Foreman; Administrator of Information Management; Cartographer I through III; Administrator of Information Systems; Chief - Police; Administrator of Personnel; Chief Veterans Technician; Administrator of Professional Services; Circuit Provisioning Specialist; Administrator of Public Affairs; Civil Engineer I through IX; Administrator of Quality-Based Selection; Civil Engineer Trainee; Administrator of Strategic Planning and Training; Clerical Trainee; Appeals & Orders Coordinator; Communications Director; Appraisal Specialist I through 3; Community Planner 3; Assignment Coordinator; Commander; Assistant Art-in-Architecture Coordinator; Compliance Specialist; Assistant Chief - Police; Conservation Education Representative; Assistant Internal Auditor; Conservation Grant Administrator I through 3; Assistant Manager; Construction Supervisor I and II; Assistant Personnel Officer; Consumer Policy Analyst; Assistant Professor Scientist; Consumer Program Coordinator; Assistant Reimbursement Officer; Contract Executive; Assistant Steward; Coordinator of Administrative Services; Associate Director for Administrative Services; Coordinator of Art-in-Architecture; Associate Museum Director; Corrections Clerk I through III; Associate Professor Scientist; Corrections Maintenance Supervisor; Corrections Caseworker Supervisor; Corrections Food Service Supervisor; Auto Parts Warehouse Specialist; Corrections Maintenance Worker; Auto Parts Warehouse; Curator I through III; Automotive Attendant I and II; Data Processing Administrative Specialist; Automotive Mechanic; Data Processing Assistant; Automotive Shop Supervisor; Data Processing Operator; Baker; Data Processing Specialist; Barber; Data Processing Supervisor I through 3; Beautician; Data Processing Technician; Brickmason; Deputy Chief Counsel; Director of Licensing; Desktop Technician; Director of Security; Human Resources Officer; Division Chief; Human Resources Representative; Division Director; Human Resources Specialist; Economic Analyst I through IV; Human Resources Trainee; Electrical Engineer; Human Services Casework Manager; Electrical Engineer I through V; Human Services Grant Coordinator 2 and 3; Electrical Equipment Installer/Repairer; Iconographer; Electrical Equipment Installer/Repairer Lead Worker; Industry and Commercial Development Representative 1 and 2; Electrician; Industry Services Consultant 1 and 2; Electronics Technician; Information Services Intern; Elevator Operator; Information Services Specialist I and II; Endangered Species Secretary; Information Systems Analyst I through III;

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Engineering Aide; Information Systems Manager; Engineering Analyst I through IV; Information Systems Planner; Engineering Manager I and II; Institutional Maintenance Worker; Engineering Technician I through V; Instrument Designer; Environmental Scientist I and II; Insurance Analyst I through IV; Executive I through VI; Executive Assistant; Intermittent Clerk; Executive Assistant I through IV; Intermittent Laborer Maintenance; Executive Secretary 1 through 3; Intern; Federal Funding and Public Safety Director; Internal Auditor I; Financial & Budget Assistant; Internal Communications Officer; Financial & Budget Supervisor; International Marketing Representative 1; Financial Management Director; IT Manager; Fiscal Executive; Janitor I and II; Fiscal Officer; Junior State Veterinarian; Gas Engineer I through IV; Junior Supervisor Scientist; General Counsel and Regulatory Director; Laboratory Manager II; General Services Administrator I; Labor Maintenance Lead Worker; General Services Technician; Laborer; Geographic Information Specialist 1 and 2; Laborer (Building); Geologist I through IV; Laborer (Maintenance); Graphic Arts Design Supervisor; Landscape Architect; Graphic Arts Designer; Landscape Architect I through IV; Graphic Arts Technician; Landscape Planner; Grounds Supervisor; Laundry Manager I; Highway Construction Supervisor I; Legislative Liaison I and II; Historical Research Editor 2; Liability Claims Adjuster 1 and 2; Historical Research Specialist; Librarian 1 and 2; Horse Custodian; Library Aide I through III; Horse Identifier; Library Associate; Hourly Assistant; Library Technical Assistant; Human Resource Coordinator; Licensing Assistant; Human Resources Analyst; Line Technician I through II; Human Resources Assistant; Local History Service Representative; Human Resources Associate; Local Housing Advisor 2 and 3; Human Resources Manager; Local Revenue and Fiscal Advisor 3; Machinist; Locksmith; Maintenance Equipment Operator; Operations Communications Specialist Trainee; Maintenance Worker; Operations Technician; Maintenance Worker Power Plant; Painter; Management Information Technician; Paralegal Assistant; Management Operations Analyst 1 and 2; Performance Management Analyst; Management Secretary I; Personnel Manager; Management Systems Specialist; Photogrammetrist I through IV; Management Technician I through IV; Physician; Manager; Physician Specialist Operations A through D; Manpower Planner 1 through 3; Planning Director; Medical Administrator III and V; Plant Maintenance Engineer 1 and 2; Methods & Processes Advisor 1, 2 and III; Plumber; Methods & Processes Career Associate 1 and 2; Policy Advisor; Microfilm Operator I through III; Policy Analyst I through IV; Military Administrative Assistant I; Power Shovel Operator (Maintenance); Military Administrative Clerk; Principal Economist; Military Administrative Officer-Legal; Principal Scientist; Military Administrative Specialist; Private Secretary 1 and 2; Military Community Relations Specialist; Private Secretary I and II; Military Cooperative Agreement Specialist; Procurement Representative; Military Crash, Fire, Rescue I through III; Professor & Scientist; Military Energy Manager; Program Manager; Military Engineer Technician; Program Specialist; Military Environmental Specialist I through III; Project Coordinator; Military Facilities Engineer; Project Designer; Military Facilities Officer I; Project Manager I through III; Military Maintenance Engineer; Project Manager; Military Museum Director; Project Manager/Technical Specialist I thru III; Military Program Supervisor; Project Specialist I through IV; Military Property Custodian II; Projects Director; Military Real Property Clerk; Property & Supply Clerk I through III; Motorist Assistance Specialist; Property Control Officer; Museum Director; Public Administration Intern; Museum Security Head I through III; Public Information Coordinator; Museum Technician I through III; Public Information Officer; Network Control Center Specialist; Public Information Officer 2 through 4; Network Control Center Technician 2; Public Service Administrator; Network Engineer I through IV; Race Track Maintenance 1 and 2; Office Administration Specialist; Radio Technician Program Coordinator; Office Administrator 1 through 5; Realty Specialist I through V; Office Aide; Receptionist; Office Assistant; Regional Manager; Office Associate; Regulatory Accountant IV; Office Clerk; Reimbursement Officer 1 and 2; Office Coordinator; Representative I and II; Office Manager; Representative Trainee; Office Occupations Trainee; School Construction Manager; Office Specialist; Secretary I and IV; Operations Communications Specialist I and II; Security Guard; Senior Economic Analyst; Security Supervisor; Senior Editor; Systems Developer I through IV; Senior Electrical Engineer; Systems Developer Trainee; Senior Financial & Budget Assistant; Systems Engineer I through IV; Senior Gas Engineer; Systems Engineer Trainee; Senior Policy Analyst; Tariff & Order Coordinator; Senior Programs Analyst; Tariff Administrator III; Senior Project Consultant; Tariff Analyst IV; Senior Project Manager; Teacher of Barbering; Senior Public Information Officer; Teacher of Beauty Culture; Senior Public Service Administrator; Technical Advisor 2 and 3; Senior Rate Analyst; Technical Advisor I through VII; Senior Technical Assistant; Technical Analyst; Technical Manager I through IX; Senior Technical Supervisor; Technical Assistant; Senior Technology Specialist; Technical Manager I; Senior Transportation Industry Analyst; Technical Manager I through X; Sewage Plant Operator; Technical Specialist; Sign Hanger;

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Technical Support Specialist; Sign Hanger Foreman; Technical Specialist I thru III; Sign Painter; Technician Trainee; Sign Shop Foreman; Telecom Systems Analyst; Silk Screen Operator; Telecom Systems Consultant; Senior Administrative Assistant; Telecom Systems Technician 1 and 2; Site Superintendent; Telecommunication Supervisor; Software Architect; Tinsmith; Special Assistant; Trades Tender; Special Assistant to the Executive Director; Training Coordinator; Staff Development Specialist I; Transportation Counsel; Staff Development Technician II; Transportation Industry Analyst III; State Police Captain; Transportation Industry Customer Service; State Police Lieutenant; Transportation Officer; State Police Major; Transportation Policy Analyst III and IV; State Police Master Sergeant; Urban Planner I through VI; Stationary Engineer; Utility Engineer I and II; Stationary Engineer Assistant Chief; Veteran Secretary; Stationary Engineer Chief; Veteran Technician; Stationary Fireman; Water Engineer I through IV; Statistical Research Specialist I through 3; Water Plant Operator; Statistical Research Supervisor; Web and Publications Manager; Statistical Research Technician; Steamfitter; Steward; Steward Secretary; Storekeeper I through III; Stores Clerk; Student Intern; Student Worker; Supervisor; Supervisor & Assistant Scientist; Supervisor & Associate Scientist; Switchboard Operator 1 through 3; Administrative Assistant to the Superintendent; Assistant Legal Advisor; Legal Assistant; Senior Human Resources Specialist; Principal Internal Auditor; Division Administrator; Division Supervisor; and Private Secretary I through III.

(2) In addition, any position titles with the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, the Minority Leader of the Senate, the Attorney General, the Secretary of State, the Comptroller, the Treasurer, the Auditor General, the Supreme Court, the Court of Claims, and each legislative agency are eligible for the alternative retirement cancellation payment provided in this Section.

(c) In lieu of any retirement annuity or other benefit provided under this Article, a person who qualifies for and elects to receive the alternative retirement cancellation payment under this Section shall be entitled to receive a one-time lump sum retirement cancellation payment equal to the amount of his or her contributions to the System (including any employee contributions for optional service credit and including any employee contributions paid by the employer or credited to the employee during disability) as of the date of termination, with regular interest, multiplied by 2.

(d) Notwithstanding any other provision of this Article, a person who receives an alternative retirement cancellation payment under this Section thereby forfeits the right to any other retirement or disability benefit or refund under this Article, and no widow's, survivor's, or death benefit deriving from that person shall be payable under this Article. Upon accepting an alternative retirement cancellation payment under this Section, the person's creditable service and all other rights in the System are terminated for all purposes, except for the purpose of determining State group life and health benefits for the person and his or her survivors as provided under the State Employees Group Insurance Act of 1971.

(e) To the extent permitted by federal law, a person who receives an alternative retirement cancellation payment under this Section may direct the System to pay all or a portion of that payment as a rollover into another retirement plan or account qualified under the Internal Revenue Code of 1986, as amended.

(f) Notwithstanding Section 14-111, a person who has received an alternative retirement cancellation payment under this Section and who reenters service under this Article other than as a temporary employee must repay to the System the amount by which that alternative retirement cancellation payment exceeded the amount of his or her refundable employee contributions within 60 days of resuming employment under this System. For the purposes of re-establishing creditable service that was terminated upon election of the alternative retirement cancellation payment, the portion of the alternative retirement cancellation payment representing refundable employee contributions shall be deemed a refund repayable in accordance with Section 14-130.

(g) The Economic and Fiscal Commission shall determine and report to the Governor and the General Assembly, on or before January 1, 2006, its estimate of (1) the annual amount of payroll savings likely to be realized by the State as a result of the early termination of persons receiving the alternative retirement cancellation payment under this Section and (2) the net annual savings or cost to the State from the program of alternative retirement cancellation payments under this Section.

The System, the Department of Central Management Services, the Governor's Office of Management and Budget, and all other departments shall provide to the Commission any assistance that the Commission may request with respect to its report under this Section. The Commission may require departments to provide it with any information that it deems necessary or useful with respect to its reports under this Section, including without limitation information about (1) the final earnings

of former department employees who elected to receive alternative retirement cancellation payments under this Section. (2) the earnings of current department employees holding the positions vacated by persons who elected to receive alternative retirement cancellation payments under this Section, and (3) positions vacated by persons who elected to receive alternative retirement cancellation payments under this Section that have not yet been refilled.

(40 ILCS 5/14-130) (from Ch. 108 1/2, par. 14-130)

Sec. 14-130. Refunds; rules.

(a) Upon withdrawal a member is entitled to receive, upon written request, a refund of the member's contributions, including credits granted while in receipt of disability benefits, without credited interest. The board, in its discretion may withhold payment of the refund of a member's contributions for a period not to exceed 1 year after the member has ceased to be an employee.

For purposes of this Section, a member will be considered to have withdrawn from service if a change in, or transfer of, his position results in his becoming ineligible for continued membership in this System and eligible for membership in another public retirement system under this Act.

(b) A member receiving a refund forfeits and relinquishes all accrued rights in the System, including all accumulated creditable service. If the person again becomes a member of the System and establishes at least 2 years of creditable service, the member may repay the moneys previously refunded. However, a former member may restore credits previously forfeited by acceptance of a refund without returning to service by applying in writing and repaying to the System, by April 1, 1993, the amount of the refund plus regular interest calculated from the date of refund to the date of repayment.

The repayment of refunds issued prior to January 1, 1984 shall consist of the amount refunded plus 5% interest per annum compounded annually for the period from the date of the refund to the end of the month in which repayment is made. The repayment of refunds issued after January 1, 1984 shall consist of the amount refunded plus regular interest for the period from the date of refund to the end of the month in which repayment is made. The repayment of the refund of a person who accepts an alternative retirement cancellation payment under Section 14-108.5 shall consist of the entire amount paid to the person under subsection (c) of Section 14-108.5 plus regular interest for the period from the date of the refund to the end of the month in which repayment is made. However, in the case of a refund that is repaid in a lump sum between January 1, 1991 and July 1, 1991, repayment shall consist of the amount refunded plus interest at the rate of 2.5% per annum compounded annually from the date of the refund to the end of the month in which repayment is made.

Upon repayment, the member shall receive credit for the service, member contributions and regular interest that was forfeited by acceptance of the refund as well as regular interest for the period of non-membership. Such repayment shall be made in full before retirement either in a lump sum or in installment payments in accordance with such rules as may be adopted by the board.

(b-5) The Board may adopt rules governing the repayment of refunds and establishment of credits in cases involving awards of back pay or reinstatement. The rules may authorize repayment of a refund in installment payments and may waive the payment of interest on refund amounts repaid in full within a specified period.

(c) A member no longer in service who is unmarried and does not have an eligible survivors annuity beneficiary on the date of application therefor is entitled to a refund of contributions for widow's annuity or survivors annuity purposes, or both, as the case may be, without interest. A widow's annuity or survivors annuity shall not be payable upon the death of a person who has received this refund, unless prior to that death the amount of the refund has been repaid to the System, together with regular interest from the date of the refund to the date of repayment.

(d) Any member who has service credit in which an alternative retirement annuity is provided and in relation to which an increase in the rate of employee contribution is required, shall be entitled to a refund, without interest, of that part of the member's employee contribution which results from that increase in the employee rate if the member does not qualify for that alternative retirement annuity at the time of retirement.

(Source: P.A. 90-448, eff. 8-16-97; 91-887, eff. 7-6-00.)

ARTICLE 99

Section 99-995. Closed meetings; vote requirement. This Act authorizes the Illinois Economic and Fiscal Commission to hold closed meetings in certain circumstances. In order to meet the requirements of subsection (c) of Section 5 of Article IV of the Illinois Constitution, the General Assembly determines that closed meetings of the Illinois Economic and Fiscal Commission are

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required by the public interest. Thus, this Act is enacted by the affirmative vote of two-thirds of the members elected to each house of the General Assembly.

Section 99-997. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 99-999. Effective date. This Act takes effect upon becoming law."

Under the rules, the foregoing **Senate Bill No. 2206**, with House Amendments numbered 1 and 2, was referred to the Secretary's Desk.

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 7307

A bill for AN ACT concerning executive agencies.
Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 7307

Concurred in by the House, July 24, 2004, by a three-fifths vote.

MARK MAHONEY, Clerk of the House

JOINT ACTION MOTIONS FILED

The following Joint Action Motions to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Rules:

Motion to Concur in House Amendments 1, 2 and 3 to Senate Bill 2205

Motion to Concur in House Amendments 1 and 2 to Senate Bill 2206

REPORT FROM STANDING COMMITTEE

Senator Schoenberg, Chairperson of the Committee on State Government, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends that they be approved for consideration:

Motion to Concur in House Amendment 1 to Senate Bill 73; Motion to Concur in House Amendment 1 to Senate Bill 2287

Under the rules, the foregoing Motions are eligible for consideration by the Senate.

REPORT FROM RULES COMMITTEE

Senator Viverito, Chairperson of the Committee on Rules, reported that the following Legislative Measures have been approved for consideration:

Motion to Concur in House Amendments 1, 2 and 3 to Senate Bill 2205 and Motion to Concur in House Amendments 1 and 2 to Senate Bill 2206

The foregoing concurrences were placed on the Secretary's Desk.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS ON SECRETARY'S DESK

On motion of Senator Halvorson, **Senate Bill No. 73**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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Senator Halvorson moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 49; Nays 5.

The following voted in the affirmative:

Althoff	Halvorson	Radogno	Sullivan, J.
Bomke	Harmon	Rauschenberger	Syverson
Brady	Hunter	Righter	Trotter
Burzynski	Jones, J.	Risinger	Viverito
Clayborne	Lauzen	Roskam	Walsh
Cronin	Lightford	Rutherford	Watson
Crotty	Luechtefeld	Sandoval	Welch
del Valle	Maloney	Schoenberg	Winkel
DeLeo	Martinez	Shadid	Wojcik
Demuzio	Meeks	Sieben	Mr. President
Dillard	Munoz	Silverstein	
Forby	Peterson	Soden	
Haine	Petka	Sullivan, D.	

The following voted in the negative:

Collins	Link	Ronen
Garrett	Obama	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 73**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Link, **Senate Bill No. 2287**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Link moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 53; Nays 3.

The following voted in the affirmative:

Althoff	Halvorson	Peterson	Soden
Bomke	Harmon	Petka	Sullivan, D.
Brady	Hendon	Radogno	Syverson
Burzynski	Hunter	Rauschenberger	Trotter
Clayborne	Jones, J.	Righter	Viverito
Collins	Lauzen	Risinger	Walsh
Cronin	Lightford	Ronen	Watson
Crotty	Link	Roskam	Welch
Cullerton	Luechtefeld	Rutherford	Winkel
del Valle	Maloney	Sandoval	Wojcik
DeLeo	Martinez	Schoenberg	Mr. President
Dillard	Meeks	Shadid	
Garrett	Munoz	Sieben	
Haine	Obama	Silverstein	

The following voted in the negative:

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Demuzio
Forby
Sullivan, J.

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2287**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator del Valle, **Senate Bill No. 2205**, with House Amendments numbered 1, 2 and 3 on the Secretary's Desk, was taken up for immediate consideration.

Senator del Valle moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 56; Nays None.

The following voted in the affirmative:

Althoff	Haine	Peterson	Sullivan, D.
Bomke	Halvorson	Petka	Sullivan, J.
Brady	Harmon	Radogno	Syverson
Burzynski	Hendon	Rauschenberger	Trotter
Clayborne	Hunter	Righter	Viverito
Collins	Jones, J.	Risinger	Walsh
Cronin	Lauzen	Ronen	Watson
Crotty	Lightford	Roskam	Welch
Cullerton	Link	Rutherford	Winkel
del Valle	Luechtefeld	Sandoval	Wojcik
DeLeo	Maloney	Schoenberg	Mr. President
Demuzio	Martinez	Shadid	
Dillard	Meeks	Sieben	
Forby	Munoz	Silverstein	
Garrett	Obama	Soden	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1, 2 and 3 to **Senate Bill No. 2205**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Welch, **Senate Bill No. 2206**, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Welch moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 56; Nays None.

The following voted in the affirmative:

Althoff	Haine	Peterson	Sullivan, D.
Bomke	Halvorson	Petka	Sullivan, J.
Brady	Harmon	Radogno	Syverson
Burzynski	Hendon	Rauschenberger	Trotter
Clayborne	Hunter	Righter	Viverito
Collins	Jones, J.	Risinger	Walsh
Cronin	Lauzen	Ronen	Watson
Crotty	Lightford	Roskam	Welch
Cullerton	Link	Rutherford	Winkel

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del Valle	Luechtefeld	Sandoval	Wojcik
DeLeo	Maloney	Schoenberg	Mr. President
Demuzio	Martinez	Shadid	
Dillard	Meeks	Sieben	
Forby	Munoz	Silverstein	
Garrett	Obama	Soden	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 2206**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

MESSAGES FROM THE HOUSE

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2207

A bill for AN ACT in relation to budget implementation.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 2207

House Amendment No. 2 to SENATE BILL NO. 2207

Passed the House, as amended, July 24, 2004, by a three-fifths vote.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 2207 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Income Tax Act is amended by changing Sections 203, 205, 305, and 1501 as follows:

(35 ILCS 5/203) (from Ch. 120, par. 2-203)

Sec. 203. Base income defined.

(a) Individuals.

(1) In general. In the case of an individual, base income means an amount equal to the taxpayer's adjusted gross income for the taxable year as modified by paragraph (2).

(2) Modifications. The adjusted gross income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the computation of adjusted gross income, except stock dividends of qualified public utilities described in Section 305(e) of the Internal Revenue Code;

(B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of adjusted gross income for the taxable year;

(C) An amount equal to the amount received during the taxable year as a recovery or refund of real property taxes paid with respect to the taxpayer's principal residence under the Revenue Act of 1939 and for which a deduction was previously taken under subparagraph (L) of this paragraph (2) prior to July 1, 1991, the retrospective application date of Article 4 of Public Act 87-17. In the case of multi-unit or multi-use structures and farm dwellings, the taxes on the taxpayer's principal residence shall be that portion of the total taxes for the entire property which is attributable to such principal residence;

(D) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of adjusted gross income;

(D-5) An amount, to the extent not included in adjusted gross income, equal to the amount of money withdrawn by the taxpayer in the taxable year from a medical care savings

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account and the interest earned on the account in the taxable year of a withdrawal pursuant to subsection (b) of Section 20 of the Medical Care Savings Account Act or subsection (b) of Section 20 of the Medical Care Savings Account Act of 2000;

(D-10) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the individual deducted in computing adjusted gross income and for which the individual claims a credit under subsection (l) of Section 201;

(D-15) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code; ~~and~~

(D-16) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-15), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (Z) with respect to that property; ~~;~~

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property; ~~;~~ and

~~(D-20)~~ (D-15) For taxable years beginning on or after January 1, 2002, in the case of a distribution from a qualified tuition program under Section 529 of the Internal Revenue Code, other than (i) a distribution from a College Savings Pool created under Section 16.5 of the State Treasurer Act or (ii) a distribution from the Illinois Prepaid Tuition Trust Fund, an amount equal to the amount excluded from gross income under Section 529(c)(3)(B); and by deducting from the total so obtained the sum of the following amounts:

(E) For taxable years ending before December 31, 2001, any amount included in such total in respect of any compensation (including but not limited to any compensation paid or accrued to a serviceman while a prisoner of war or missing in action) paid to a resident by reason of being on active duty in the Armed Forces of the United States and in respect of any compensation paid or accrued to a resident who as a governmental employee was a prisoner of war or missing in action, and in respect of any compensation paid to a resident in 1971 or thereafter for annual training performed pursuant to Sections 502 and 503, Title 32, United States Code as a member of the Illinois National Guard. For taxable years ending on or after December 31, 2001, any amount included in such total in respect of any compensation (including but not limited to any compensation paid or accrued to a serviceman while a prisoner of war or missing in action) paid to a resident by reason of being a member of any component of the Armed Forces of the United States and in respect of any compensation paid or accrued to a resident who as a governmental employee was a prisoner of war or missing in action, and in respect of any compensation paid to a resident in 2001 or thereafter by reason of being a member of the Illinois National Guard. The provisions of this amendatory Act of the 92nd General Assembly are exempt from the provisions of Section 250;

(F) An amount equal to all amounts included in such total pursuant to the provisions of Sections 402(a), 402(c), 403(a), 403(b), 406(a), 407(a), and 408 of the Internal Revenue Code, or included in such total as distributions under the provisions of any retirement or disability plan for employees of any governmental agency or unit, or retirement payments to retired partners, which payments are excluded in computing net earnings from self employment by Section 1402 of the Internal Revenue Code and regulations adopted pursuant thereto;

(G) The valuation limitation amount;

(H) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(I) An amount equal to all amounts included in such total pursuant to the provisions of Section 111 of the Internal Revenue Code as a recovery of items previously deducted from adjusted gross income in the computation of taxable income;

(J) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act, and conducts substantially all of its operations in an Enterprise Zone or zones;

(K) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (J) of paragraph (2) of this

subsection shall not be eligible for the deduction provided under this subparagraph (K);

(L) For taxable years ending after December 31, 1983, an amount equal to all social security benefits and railroad retirement benefits included in such total pursuant to Sections 72(r) and 86 of the Internal Revenue Code;

(M) With the exception of any amounts subtracted under subparagraph (N), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a)(2), and 265(2) of the Internal Revenue Code of 1954, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code of 1954, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(N) An amount equal to all amounts included in such total which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(O) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(P) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(Q) An amount equal to any amounts included in such total, received by the taxpayer as an acceleration in the payment of life, endowment or annuity benefits in advance of the time they would otherwise be payable as an indemnity for a terminal illness;

(R) An amount equal to the amount of any federal or State bonus paid to veterans of the Persian Gulf War;

(S) An amount, to the extent included in adjusted gross income, equal to the amount of a contribution made in the taxable year on behalf of the taxpayer to a medical care savings account established under the Medical Care Savings Account Act or the Medical Care Savings Account Act of 2000 to the extent the contribution is accepted by the account administrator as provided in that Act;

(T) An amount, to the extent included in adjusted gross income, equal to the amount of interest earned in the taxable year on a medical care savings account established under the Medical Care Savings Account Act or the Medical Care Savings Account Act of 2000 on behalf of the taxpayer, other than interest added pursuant to item (D-5) of this paragraph (2);

(U) For one taxable year beginning on or after January 1, 1994, an amount equal to the total amount of tax imposed and paid under subsections (a) and (b) of Section 201 of this Act on grant amounts received by the taxpayer under the Nursing Home Grant Assistance Act during the taxpayer's taxable years 1992 and 1993;

(V) Beginning with tax years ending on or after December 31, 1995 and ending with tax years ending on or before December 31, 2004, an amount equal to the amount paid by a taxpayer who is a self-employed taxpayer, a partner of a partnership, or a shareholder in a Subchapter S corporation for health insurance or long-term care insurance for that taxpayer or that taxpayer's spouse or dependents, to the extent that the amount paid for that health insurance or long-term care insurance may be deducted under Section 213 of the Internal Revenue Code of 1986, has not been deducted on the federal income tax return of the taxpayer, and does not exceed the taxable income attributable to that taxpayer's income, self-employment income, or Subchapter S corporation income; except that no deduction shall be allowed under this item (V) if the taxpayer is eligible to participate in any health insurance or long-term care insurance plan of an employer of the taxpayer or the taxpayer's spouse. The amount of the health insurance and long-term care insurance subtracted under this item (V) shall be determined by multiplying total health insurance and long-term care insurance premiums paid by the taxpayer times a number that represents the fractional percentage of eligible medical expenses under Section 213 of the Internal Revenue Code of 1986 not actually deducted on the taxpayer's federal income tax return;

(W) For taxable years beginning on or after January 1, 1998, all amounts included in the taxpayer's federal gross income in the taxable year from amounts converted from a regular IRA to a Roth IRA. This paragraph is exempt from the provisions of Section 250;

(X) For taxable year 1999 and thereafter, an amount equal to the amount of any (i) distributions, to the extent includible in gross income for federal income tax purposes, made to

the taxpayer because of his or her status as a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim and (ii) items of income, to the extent includible in gross income for federal income tax purposes, attributable to, derived from or in any way related to assets stolen from, hidden from, or otherwise lost to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime immediately prior to, during, and immediately after World War II, including, but not limited to, interest on the proceeds receivable as insurance under policies issued to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime by European insurance companies immediately prior to and during World War II; provided, however, this subtraction from federal adjusted gross income does not apply to assets acquired with such assets or with the proceeds from the sale of such assets; provided, further, this paragraph shall only apply to a taxpayer who was the first recipient of such assets after their recovery and who is a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim. The amount of and the eligibility for any public assistance, benefit, or similar entitlement is not affected by the inclusion of items (i) and (ii) of this paragraph in gross income for federal income tax purposes. This paragraph is exempt from the provisions of Section 250;

(Y) For taxable years beginning on or after January 1, 2002, moneys contributed in the taxable year to a College Savings Pool account under Section 16.5 of the State Treasurer Act, except that amounts excluded from gross income under Section 529(c)(3)(C)(i) of the Internal Revenue Code shall not be considered moneys contributed under this subparagraph (Y). This subparagraph (Y) is exempt from the provisions of Section 250;

(Z) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code; ~~and~~

(AA) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-15), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property; and

~~(BB) (Z)~~ Any amount included in adjusted gross income, other than salary, received by a driver in a ridesharing arrangement using a motor vehicle.

(b) Corporations.

(1) In general. In the case of a corporation, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. The taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest and all distributions received from regulated investment companies during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of taxable income for the taxable year;

(C) In the case of a regulated investment company, an amount equal to the excess of (i) the net long-term capital gain for the taxable year, over (ii) the amount of the capital gain dividends designated as such in accordance with Section 852(b)(3)(C) of the Internal Revenue

Code and any amount designated under Section 852(b)(3)(D) of the Internal Revenue Code, attributable to the taxable year (this amendatory Act of 1995 (Public Act 89-89) is declarative of existing law and is not a new enactment);

(D) The amount of any net operating loss deduction taken in arriving at taxable income, other than a net operating loss carried forward from a taxable year ending prior to December 31, 1986;

(E) For taxable years in which a net operating loss carryback or carryforward from a taxable year ending prior to December 31, 1986 is an element of taxable income under paragraph (1) of subsection (e) or subparagraph (E) of paragraph (2) of subsection (e), the amount by which addition modifications other than those provided by this subparagraph (E) exceeded subtraction modifications in such earlier taxable year, with the following limitations applied in the order that they are listed:

(i) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall be reduced by the amount of addition modification under this subparagraph (E) which related to that net operating loss and which was taken into account in calculating the base income of an earlier taxable year, and

(ii) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall not exceed the amount of such carryback or carryforward;

For taxable years in which there is a net operating loss carryback or carryforward from more than one other taxable year ending prior to December 31, 1986, the addition modification provided in this subparagraph (E) shall be the sum of the amounts computed independently under the preceding provisions of this subparagraph (E) for each such taxable year;

(E-5) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the corporation deducted in computing adjusted gross income and for which the corporation claims a credit under subsection (l) of Section 201;

(E-10) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code; and

(E-11) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (E-10), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (T) with respect to that property. †

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property; and by deducting from the total so obtained the sum of the following amounts:

(F) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(G) An amount equal to any amount included in such total under Section 78 of the Internal Revenue Code;

(H) In the case of a regulated investment company, an amount equal to the amount of exempt interest dividends as defined in subsection (b) (5) of Section 852 of the Internal Revenue Code, paid to shareholders for the taxable year;

(I) With the exception of any amounts subtracted under subparagraph (J), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a) (2), and 265(a)(2) and amounts disallowed as interest expense by Section 291(a)(3) of the Internal Revenue Code, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(a)(1) of the Internal Revenue Code, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, 291(a)(3), and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(J) An amount equal to all amounts included in such total which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed

under this Act, the amount exempted shall be the interest net of bond premium amortization;

(K) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act and conducts substantially all of its operations in an Enterprise Zone or zones;

(L) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (K) of paragraph 2 of this subsection shall not be eligible for the deduction provided under this subparagraph (L);

(M) For any taxpayer that is a financial organization within the meaning of Section 304(c) of this Act, an amount included in such total as interest income from a loan or loans made by such taxpayer to a borrower, to the extent that such a loan is secured by property which is eligible for the Enterprise Zone Investment Credit. To determine the portion of a loan or loans that is secured by property eligible for a Section 201(f) investment credit to the borrower, the entire principal amount of the loan or loans between the taxpayer and the borrower should be divided into the basis of the Section 201(f) investment credit property which secures the loan or loans, using for this purpose the original basis of such property on the date that it was placed in service in the Enterprise Zone. The subtraction modification available to taxpayer in any year under this subsection shall be that portion of the total interest paid by the borrower with respect to such loan attributable to the eligible property as calculated under the previous sentence;

(M-1) For any taxpayer that is a financial organization within the meaning of Section 304(c) of this Act, an amount included in such total as interest income from a loan or loans made by such taxpayer to a borrower, to the extent that such a loan is secured by property which is eligible for the High Impact Business Investment Credit. To determine the portion of a loan or loans that is secured by property eligible for a Section 201(h) investment credit to the borrower, the entire principal amount of the loan or loans between the taxpayer and the borrower should be divided into the basis of the Section 201(h) investment credit property which secures the loan or loans, using for this purpose the original basis of such property on the date that it was placed in service in a federally designated Foreign Trade Zone or Sub-Zone located in Illinois. No taxpayer that is eligible for the deduction provided in subparagraph (M) of paragraph (2) of this subsection shall be eligible for the deduction provided under this subparagraph (M-1). The subtraction modification available to taxpayers in any year under this subsection shall be that portion of the total interest paid by the borrower with respect to such loan attributable to the eligible property as calculated under the previous sentence;

(N) Two times any contribution made during the taxable year to a designated zone organization to the extent that the contribution (i) qualifies as a charitable contribution under subsection (c) of Section 170 of the Internal Revenue Code and (ii) must, by its terms, be used for a project approved by the Department of Commerce and Economic Opportunity Community Affairs under Section 11 of the Illinois Enterprise Zone Act;

(O) An amount equal to: (i) 85% for taxable years ending on or before December 31, 1992, or, a percentage equal to the percentage allowable under Section 243(a)(1) of the Internal Revenue Code of 1986 for taxable years ending after December 31, 1992, of the amount by which dividends included in taxable income and received from a corporation that is not created or organized under the laws of the United States or any state or political subdivision thereof, including, for taxable years ending on or after December 31, 1988, dividends received or deemed received or paid or deemed paid under Sections 951 through 964 of the Internal Revenue Code, exceed the amount of the modification provided under subparagraph (G) of paragraph (2) of this subsection (b) which is related to such dividends; plus (ii) 100% of the amount by which dividends, included in taxable income and received, including, for taxable years ending on or after December 31, 1988, dividends received or deemed received or paid or deemed paid under Sections 951 through 964 of the Internal Revenue Code, from any such corporation specified in clause (i) that would but for the provisions of Section 1504 (b) (3) of the Internal Revenue Code be treated as a member of the affiliated group which includes the dividend recipient, exceed the amount of the modification provided under subparagraph (G) of paragraph (2) of this subsection (b) which is related to such dividends;

(P) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(Q) An amount equal to the amount of the deduction used to compute the federal

income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(R) In the case of an attorney-in-fact with respect to whom an interinsurer or a reciprocal insurer has made the election under Section 835 of the Internal Revenue Code, 26 U.S.C. 835, an amount equal to the excess, if any, of the amounts paid or incurred by that interinsurer or reciprocal insurer in the taxable year to the attorney-in-fact over the deduction allowed to that interinsurer or reciprocal insurer with respect to the attorney-in-fact under Section 835(b) of the Internal Revenue Code for the taxable year;

(S) For taxable years ending on or after December 31, 1997, in the case of a Subchapter S corporation, an amount equal to all amounts of income allocable to a shareholder subject to the Personal Property Tax Replacement Income Tax imposed by subsections (c) and (d) of Section 201 of this Act, including amounts allocable to organizations exempt from federal income tax by reason of Section 501(a) of the Internal Revenue Code. This subparagraph (S) is exempt from the provisions of Section 250;

(T) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code; and

(U) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (E-10), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property.

(3) Special rule. For purposes of paragraph (2) (A), "gross income" in the case of a life insurance company, for tax years ending on and after December 31, 1994, shall mean the gross investment income for the taxable year.

(c) Trusts and estates.

(1) In general. In the case of a trust or estate, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. Subject to the provisions of paragraph (3), the taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) In the case of (i) an estate, \$600; (ii) a trust which, under its governing instrument, is required to distribute all of its income currently, \$300; and (iii) any other trust, \$100, but in each such case, only to the extent such amount was deducted in the computation of taxable income;

(C) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of taxable income for the taxable year;

(D) The amount of any net operating loss deduction taken in arriving at taxable income, other than a net operating loss carried forward from a taxable year ending prior to December 31, 1986;

(E) For taxable years in which a net operating loss carryback or carryforward from a taxable year ending prior to December 31, 1986 is an element of taxable income under

paragraph (1) of subsection (e) or subparagraph (E) of paragraph (2) of subsection (e), the amount by which addition modifications other than those provided by this subparagraph (E) exceeded subtraction modifications in such taxable year, with the following limitations applied in the order that they are listed:

(i) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall be reduced by the amount of addition modification under this subparagraph (E) which related to that net operating loss and which was taken into account in calculating the base income of an earlier taxable year, and

(ii) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall not exceed the amount of such carryback or carryforward;

For taxable years in which there is a net operating loss carryback or carryforward from more than one other taxable year ending prior to December 31, 1986, the addition modification provided in this subparagraph (E) shall be the sum of the amounts computed independently under the preceding provisions of this subparagraph (E) for each such taxable year;

(F) For taxable years ending on or after January 1, 1989, an amount equal to the tax deducted pursuant to Section 164 of the Internal Revenue Code if the trust or estate is claiming the same tax for purposes of the Illinois foreign tax credit under Section 601 of this Act;

(G) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of taxable income;

(G-5) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the trust or estate deducted in computing adjusted gross income and for which the trust or estate claims a credit under subsection (l) of Section 201;

(G-10) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code; and

(G-11) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (G-10), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (R) with respect to that property. ;

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

and by deducting from the total so obtained the sum of the following amounts:

(H) An amount equal to all amounts included in such total pursuant to the provisions of Sections 402(a), 402(c), 403(a), 403(b), 406(a), 407(a) and 408 of the Internal Revenue Code or included in such total as distributions under the provisions of any retirement or disability plan for employees of any governmental agency or unit, or retirement payments to retired partners, which payments are excluded in computing net earnings from self employment by Section 1402 of the Internal Revenue Code and regulations adopted pursuant thereto;

(I) The valuation limitation amount;

(J) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(K) An amount equal to all amounts included in taxable income as modified by subparagraphs (A), (B), (C), (D), (E), (F) and (G) which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(L) With the exception of any amounts subtracted under subparagraph (K), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a)(2) and 265(a)(2) of the Internal Revenue Code, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code of 1954, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the

provisions of this subparagraph are exempt from the provisions of Section 250;

(M) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act and conducts substantially all of its operations in an Enterprise Zone or Zones;

(N) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(O) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (M) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (O);

(P) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(Q) For taxable year 1999 and thereafter, an amount equal to the amount of any (i) distributions, to the extent includible in gross income for federal income tax purposes, made to the taxpayer because of his or her status as a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim and (ii) items of income, to the extent includible in gross income for federal income tax purposes, attributable to, derived from or in any way related to assets stolen from, hidden from, or otherwise lost to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime immediately prior to, during, and immediately after World War II, including, but not limited to, interest on the proceeds receivable as insurance under policies issued to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime by European insurance companies immediately prior to and during World War II; provided, however, this subtraction from federal adjusted gross income does not apply to assets acquired with such assets or with the proceeds from the sale of such assets; provided, further, this paragraph shall only apply to a taxpayer who was the first recipient of such assets after their recovery and who is a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim. The amount of and the eligibility for any public assistance, benefit, or similar entitlement is not affected by the inclusion of items (i) and (ii) of this paragraph in gross income for federal income tax purposes. This paragraph is exempt from the provisions of Section 250;

(R) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code; and

(S) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (G-10), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property.

(3) Limitation. The amount of any modification otherwise required under this subsection shall, under regulations prescribed by the Department, be adjusted by any amounts included therein which were properly paid, credited, or required to be distributed, or permanently set aside for charitable purposes pursuant to Internal Revenue Code Section 642(c) during the taxable year.

(d) Partnerships.

(1) In general. In the case of a partnership, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. The taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income for the taxable year;

(C) The amount of deductions allowed to the partnership pursuant to Section 707 (c) of the Internal Revenue Code in calculating its taxable income;

(D) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of taxable income;

(D-5) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code; and

(D-6) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-5), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (O) with respect to that property. ;

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

and by deducting from the total so obtained the following amounts:

(E) The valuation limitation amount;

(F) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(G) An amount equal to all amounts included in taxable income as modified by subparagraphs (A), (B), (C) and (D) which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(H) Any income of the partnership which constitutes personal service income as defined in Section 1348 (b) (1) of the Internal Revenue Code (as in effect December 31, 1981) or a reasonable allowance for compensation paid or accrued for services rendered by partners to the partnership, whichever is greater;

(I) An amount equal to all amounts of income distributable to an entity subject to the Personal Property Tax Replacement Income Tax imposed by subsections (c) and (d) of Section 201 of this Act including amounts distributable to organizations exempt from federal income tax by reason of Section 501(a) of the Internal Revenue Code;

(J) With the exception of any amounts subtracted under subparagraph (G), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a) (2), and 265(2) of the Internal Revenue Code of 1954, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(K) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act, enacted by the 82nd General Assembly, and conducts substantially all of its operations in an Enterprise Zone or Zones;

(L) An amount equal to any contribution made to a job training project established pursuant to the Real Property Tax Increment Allocation Redevelopment Act;

(M) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (K) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (M);

(N) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(O) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code; and

(P) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-5), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property.

(e) Gross income; adjusted gross income; taxable income.

(1) In general. Subject to the provisions of paragraph (2) and subsection (b) (3), for purposes of this Section and Section 803(e), a taxpayer's gross income, adjusted gross income, or taxable income for the taxable year shall mean the amount of gross income, adjusted gross income or taxable income properly reportable for federal income tax purposes for the taxable year under the provisions of the Internal Revenue Code. Taxable income may be less than zero. However, for taxable years ending on or after December 31, 1986, net operating loss carryforwards from taxable years ending prior to December 31, 1986, may not exceed the sum of federal taxable income for the taxable year before net operating loss deduction, plus the excess of addition modifications over subtraction modifications for the taxable year. For taxable years ending prior to December 31, 1986, taxable income may never be an amount in excess of the net operating loss for the taxable year as defined in subsections (c) and (d) of Section 172 of the Internal Revenue Code, provided that when taxable income of a corporation (other than a Subchapter S corporation), trust, or estate is less than zero and addition modifications, other than those provided by subparagraph (E) of paragraph (2) of subsection (b) for corporations or subparagraph (E) of paragraph (2) of subsection (c) for trusts and estates, exceed subtraction modifications, an addition modification must be made under those subparagraphs for any other taxable year to which the taxable income less than zero (net operating loss) is applied under Section 172 of the Internal Revenue Code or under subparagraph (E) of paragraph (2) of this subsection (e) applied in conjunction with Section 172 of the Internal Revenue Code.

(2) Special rule. For purposes of paragraph (1) of this subsection, the taxable income properly reportable for federal income tax purposes shall mean:

(A) Certain life insurance companies. In the case of a life insurance company subject to the tax imposed by Section 801 of the Internal Revenue Code, life insurance company taxable income, plus the amount of distribution from pre-1984 policyholder surplus accounts as calculated under Section 815a of the Internal Revenue Code;

(B) Certain other insurance companies. In the case of mutual insurance companies subject to the tax imposed by Section 831 of the Internal Revenue Code, insurance company

taxable income;

(C) Regulated investment companies. In the case of a regulated investment company subject to the tax imposed by Section 852 of the Internal Revenue Code, investment company taxable income;

(D) Real estate investment trusts. In the case of a real estate investment trust subject to the tax imposed by Section 857 of the Internal Revenue Code, real estate investment trust taxable income;

(E) Consolidated corporations. In the case of a corporation which is a member of an affiliated group of corporations filing a consolidated income tax return for the taxable year for federal income tax purposes, taxable income determined as if such corporation had filed a separate return for federal income tax purposes for the taxable year and each preceding taxable year for which it was a member of an affiliated group. For purposes of this subparagraph, the taxpayer's separate taxable income shall be determined as if the election provided by Section 243(b)(2) of the Internal Revenue Code had been in effect for all such years;

(F) Cooperatives. In the case of a cooperative corporation or association, the taxable income of such organization determined in accordance with the provisions of Section 1381 through 1388 of the Internal Revenue Code;

(G) Subchapter S corporations. In the case of: (i) a Subchapter S corporation for which there is in effect an election for the taxable year under Section 1362 of the Internal Revenue Code, the taxable income of such corporation determined in accordance with Section 1363(b) of the Internal Revenue Code, except that taxable income shall take into account those items which are required by Section 1363(b)(1) of the Internal Revenue Code to be separately stated; and (ii) a Subchapter S corporation for which there is in effect a federal election to opt out of the provisions of the Subchapter S Revision Act of 1982 and have applied instead the prior federal Subchapter S rules as in effect on July 1, 1982, the taxable income of such corporation determined in accordance with the federal Subchapter S rules as in effect on July 1, 1982; and

(H) Partnerships. In the case of a partnership, taxable income determined in accordance with Section 703 of the Internal Revenue Code, except that taxable income shall take into account those items which are required by Section 703(a)(1) to be separately stated but which would be taken into account by an individual in calculating his taxable income.

(3) Recapture of business expenses on disposition of non-business asset. Notwithstanding any other law to the contrary, if in prior years income from an asset or business has been classified as business income and in a later year is demonstrated to be non-business income, then all expenses, without limitation, deducted in prior years related to that asset or business that generated the non-business income shall be added back and recaptured as business income in the year of the disposition of the asset.

(f) Valuation limitation amount.

(1) In general. The valuation limitation amount referred to in subsections (a) (2)

(G), (c) (2) (I) and (d)(2) (E) is an amount equal to:

(A) The sum of the pre-August 1, 1969 appreciation amounts (to the extent consisting of gain reportable under the provisions of Section 1245 or 1250 of the Internal Revenue Code) for all property in respect of which such gain was reported for the taxable year; plus

(B) The lesser of (i) the sum of the pre-August 1, 1969 appreciation amounts (to the extent consisting of capital gain) for all property in respect of which such gain was reported for federal income tax purposes for the taxable year, or (ii) the net capital gain for the taxable year, reduced in either case by any amount of such gain included in the amount determined under subsection (a) (2) (F) or (c) (2) (H).

(2) Pre-August 1, 1969 appreciation amount.

(A) If the fair market value of property referred to in paragraph (1) was readily ascertainable on August 1, 1969, the pre-August 1, 1969 appreciation amount for such property is the lesser of (i) the excess of such fair market value over the taxpayer's basis (for determining gain) for such property on that date (determined under the Internal Revenue Code as in effect on that date), or (ii) the total gain realized and reportable for federal income tax purposes in respect of the sale, exchange or other disposition of such property.

(B) If the fair market value of property referred to in paragraph (1) was not readily ascertainable on August 1, 1969, the pre-August 1, 1969 appreciation amount for such property is that amount which bears the same ratio to the total gain reported in respect of the

property for federal income tax purposes for the taxable year, as the number of full calendar months in that part of the taxpayer's holding period for the property ending July 31, 1969 bears to the number of full calendar months in the taxpayer's entire holding period for the property.

(C) The Department shall prescribe such regulations as may be necessary to carry out the purposes of this paragraph.

(g) Double deductions. Unless specifically provided otherwise, nothing in this Section shall permit the same item to be deducted more than once.

(h) Legislative intention. Except as expressly provided by this Section there shall be no modifications or limitations on the amounts of income, gain, loss or deduction taken into account in determining gross income, adjusted gross income or taxable income for federal income tax purposes for the taxable year, or in the amount of such items entering into the computation of base income and net income under this Act for such taxable year, whether in respect of property values as of August 1, 1969 or otherwise.

(Source: P.A. 91-192, eff. 7-20-99; 91-205, eff. 7-20-99; 91-357, eff. 7-29-99; 91-541, eff. 8-13-99; 91-676, eff. 12-23-99; 91-845, eff. 6-22-00; 91-913, eff. 1-1-01; 92-16, eff. 6-28-01; 92-244, eff. 8-3-01; 92-439, eff. 8-17-01; 92-603, eff. 6-28-02; 92-626, eff. 7-11-02; 92-651, eff. 7-11-02; 92-846, eff. 8-23-02; revised 10-15-03.)

(35 ILCS 5/205) (from Ch. 120, par. 2-205)

Sec. 205. Exempt organizations.

(a) Charitable, etc. organizations. The base income of an organization which is exempt from the federal income tax by reason of Section 501(a) of the Internal Revenue Code shall not be determined under section 203 of this Act, but shall be its unrelated business taxable income as determined under section 512 of the Internal Revenue Code, without any deduction for the tax imposed by this Act. The standard exemption provided by section 204 of this Act shall not be allowed in determining the net income of an organization to which this subsection applies.

(b) Partnerships. A partnership as such shall not be subject to the tax imposed by subsection 201 (a) and (b) of this Act, but shall be subject to the replacement tax imposed by subsection 201 (c) and (d) of this Act and shall compute its base income as described in subsection (d) of Section 203 of this Act. For taxable years ending on or after December 31, 2004, an investment partnership, as defined in Section 1501(a)(11.5) of this Act, shall not be subject to the tax imposed by subsections (c) and (d) of Section 201 of this Act. A partnership shall file such returns and other information at such time and in such manner as may be required under Article 5 of this Act. The partners in a partnership shall be liable for the replacement tax imposed by subsection 201 (c) and (d) of this Act on such partnership, to the extent such tax is not paid by the partnership, as provided under the laws of Illinois governing the liability of partners for the obligations of a partnership. Persons carrying on business as partners shall be liable for the tax imposed by subsection 201 (a) and (b) of this Act only in their separate or individual capacities.

(c) Subchapter S corporations. A Subchapter S corporation shall not be subject to the tax imposed by subsection 201 (a) and (b) of this Act but shall be subject to the replacement tax imposed by subsection 201 (c) and (d) of this Act and shall file such returns and other information at such time and in such manner as may be required under Article 5 of this Act.

(d) Combat zone death. An individual relieved from the federal income tax for any taxable year by reason of section 692 of the Internal Revenue Code shall not be subject to the tax imposed by this Act for such taxable year.

(e) Certain trusts. A common trust fund described in Section 584 of the Internal Revenue Code, and any other trust to the extent that the grantor is treated as the owner thereof under sections 671 through 678 of the Internal Revenue Code shall not be subject to the tax imposed by this Act.

(f) Certain business activities. A person not otherwise subject to the tax imposed by this Act shall not become subject to the tax imposed by this Act by reason of:

(1) that person's ownership of tangible personal property located at the premises of a printer in this State with which the person has contracted for printing, or

(2) activities of the person's employees or agents located solely at the premises of a printer and related to quality control, distribution, or printing services performed by a printer in the State with which the person has contracted for printing.

(Source: P.A. 88-361.)

(35 ILCS 5/305) (from Ch. 120, par. 3-305)

[July 24, 2004]

Sec. 305. Allocation of Partnership Income by partnerships and partners other than residents. (a) Allocation of partnership business income by partners other than residents. The respective shares of partners other than residents in so much of the business income of the partnership as is allocated or apportioned to this State in the possession of the partnership shall be taken into account by such partners pro rata in accordance with their respective distributive shares of such partnership income for the partnership's taxable year and allocated to this State.

(b) Allocation of partnership nonbusiness income by partners other than residents. The respective shares of partners other than residents in the items of partnership income and deduction not taken into account in computing the business income of a partnership shall be taken into account by such partners pro rata in accordance with their respective distributive shares of such partnership income for the partnership's taxable year, and allocated as if such items had been paid, incurred or accrued directly to such partners in their separate capacities.

(c) Allocation or apportionment of base income by partnership. Base income of a partnership shall be allocated or apportioned to this State pursuant to Article 3, in the same manner as it is allocated or apportioned for any other nonresident.

(c-5) Taxable income of an investment partnership, as defined in Section 1501(a)(11.5) of this Act, that is distributable to a nonresident partner shall be treated as nonbusiness income and shall be allocated to the partner's state of residence (in the case of an individual) or commercial domicile (in the case of any other person). However, any income distributable to a nonresident partner shall be treated as business income and apportioned as if such income had been received directly by the partner if the partner has made an election under Section 1501(a)(1) of this Act to treat all income as business income or if such income is from investment activity:

(1) that is directly or integrally related to any other business activity conducted in this State by the nonresident partner (or any member of that partner's unitary business group);

(2) that serves an operational function to any other business activity of the nonresident partner (or any member of that partner's unitary business group) in this State; or

(3) where assets of the investment partnership were acquired with working capital from a trade or business activity conducted in this State in which the nonresident partner (or any member of that partner's unitary business group) owns an interest.

(d) Cross reference. For allocation of partnership income or deductions by residents, see Section 301(a).

(Source: P.A. 84-550.)

(35 ILCS 5/1501) (from Ch. 120, par. 15-1501)

Sec. 1501. Definitions.

(a) In general. When used in this Act, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) Business income. The term "business income" means all income that may be treated as apportionable business income under the Constitution of the United States. Business income is net of the deductions allocable thereto income arising from transactions and activity in the regular course of the taxpayer's trade or business, net of the deductions allocable thereto, and includes income from tangible and intangible property if the acquisition, management, and disposition of the property constitute integral parts of the taxpayer's regular trade or business operations. Such term does not include

compensation or the deductions allocable thereto. For each taxable year beginning on or after January 1, 2003, a taxpayer may elect to treat all income other than compensation as business income. This election shall be made in accordance with rules adopted by the Department and, once made, shall be irrevocable.

(2) Commercial domicile. The term "commercial domicile" means the principal place from which the trade or business of the taxpayer is directed or managed.

(3) Compensation. The term "compensation" means wages, salaries, commissions and any other form of remuneration paid to employees for personal services.

(4) Corporation. The term "corporation" includes associations, joint-stock companies, insurance companies and cooperatives. Any entity, including a limited liability company formed under the Illinois Limited Liability Company Act, shall be treated as a corporation if it is so classified for federal income tax purposes.

(5) Department. The term "Department" means the Department of Revenue of this State.

(6) Director. The term "Director" means the Director of Revenue of this State.

(7) Fiduciary. The term "fiduciary" means a guardian, trustee, executor, administrator, receiver, or any person acting in any fiduciary capacity for any person.

(8) Financial organization.

(A) The term "financial organization" means any bank, bank holding company, trust company, savings bank, industrial bank, land bank, safe deposit company, private banker, savings and loan association, building and loan association, credit union, currency exchange, cooperative bank, small loan company, sales finance company, investment company, or any person which is owned by a bank or bank holding company. For the purpose of this Section a "person" will include only those persons which a bank holding company may acquire and hold an interest in, directly or indirectly, under the provisions of the Bank Holding Company Act of 1956 (12 U.S.C. 1841, et seq.), except where interests in any person must be disposed of within certain required time limits under the Bank Holding Company Act of 1956.

(B) For purposes of subparagraph (A) of this paragraph, the term "bank" includes (i) any entity that is regulated by the Comptroller of the Currency under the National Bank Act, or by the Federal Reserve Board, or by the Federal Deposit Insurance Corporation and (ii) any federally or State chartered bank operating as a credit card bank.

(C) For purposes of subparagraph (A) of this paragraph, the term "sales finance company" has the meaning provided in the following item (i) or (ii):

(i) A person primarily engaged in one or more of the following businesses: the business of purchasing customer receivables, the business of making loans upon the security of customer receivables, the business of making loans for the express purpose of funding purchases of tangible personal property or services by the borrower, or the business of finance leasing. For purposes of this item (i), "customer receivable" means:

(a) a retail installment contract or retail charge agreement within the meaning of the Sales Finance Agency Act, the Retail Installment Sales Act, or the Motor Vehicle Retail Installment Sales Act;

(b) an installment, charge, credit, or similar contract or agreement arising from the sale of tangible personal property or services in a transaction involving a deferred payment price payable in one or more installments subsequent to the sale; or

(c) the outstanding balance of a contract or agreement described in provisions (a) or (b) of this item (i).

A customer receivable need not provide for payment of interest on deferred payments. A sales finance company may purchase a customer receivable from, or make a loan secured by a customer receivable to, the seller in the original transaction or to a person who purchased the customer receivable directly or indirectly from that seller.

(ii) A corporation meeting each of the following criteria:

(a) the corporation must be a member of an "affiliated group" within the meaning of Section 1504(a) of the Internal Revenue Code, determined without regard to Section 1504(b) of the Internal Revenue Code;

(b) more than 50% of the gross income of the corporation for the taxable year must be interest income derived from qualifying loans. A "qualifying loan" is a loan made to a member of the corporation's affiliated group that originates customer receivables (within the meaning of item (i)) or to whom customer receivables originated by a member of the affiliated group have been transferred, to the extent the average outstanding balance of loans from that corporation to members of its affiliated group during the taxable year do not exceed the limitation amount for that corporation. The "limitation amount" for a corporation is the average outstanding balances during the taxable year of customer receivables (within the meaning of item (i)) originated by all members of the affiliated group. If the average outstanding balances of the loans made by a corporation to members of its affiliated group exceed the limitation amount, the interest income of that corporation from qualifying loans shall be equal to its interest income from loans to members of its affiliated groups times a fraction equal to the limitation amount divided by the average outstanding balances of the loans made by that corporation to members of its affiliated group;

(c) the total of all shareholder's equity (including, without limitation, paid-in capital on common and preferred stock and retained earnings) of the corporation plus the total of all of its loans, advances, and other obligations payable or owed to members of its affiliated group may not exceed 20% of the total assets of the corporation at any time during the tax year; and

(d) more than 50% of all interest-bearing obligations of the affiliated group payable to persons outside the group determined in accordance with generally accepted accounting principles must be obligations of the corporation.

This amendatory Act of the 91st General Assembly is declaratory of existing law.

(D) Subparagraphs (B) and (C) of this paragraph are declaratory of existing law and apply retroactively, for all tax years beginning on or before December 31, 1996, to all original returns, to all amended returns filed no later than 30 days after the effective date of this amendatory Act of 1996, and to all notices issued on or before the effective date of this amendatory Act of 1996 under subsection (a) of Section 903, subsection (a) of Section 904, subsection (e) of Section 909, or Section 912. A taxpayer that is a "financial organization" that engages in any transaction with an affiliate shall be a "financial organization" for all purposes of this Act.

(E) For all tax years beginning on or before December 31, 1996, a taxpayer that falls within the definition of a "financial organization" under subparagraphs (B) or (C) of this paragraph, but who does not fall within the definition of a "financial organization" under the Proposed Regulations issued by the Department of Revenue on July 19, 1996, may irrevocably elect to apply the Proposed Regulations for all of those years as though the Proposed Regulations had been lawfully promulgated, adopted, and in effect for all of those years. For purposes of applying subparagraphs (B) or (C) of this paragraph to all of those years, the election allowed by this subparagraph applies only to the taxpayer making the election and to those members of the taxpayer's unitary business group who are ordinarily required to apportion business income under the same subsection of Section 304 of this Act as the taxpayer making the election. No election allowed by this subparagraph shall be made under a claim filed under subsection (d) of Section 909 more than 30 days after the effective date of this amendatory Act of 1996.

(F) Finance Leases. For purposes of this subsection, a finance lease shall be treated as a loan or other extension of credit, rather than as a lease, regardless of how the transaction is characterized for any other purpose, including the purposes of any regulatory agency to which the lessor is subject. A finance lease is any transaction in the form of a lease in which the lessee is treated as the owner of the leased asset entitled to any deduction for depreciation allowed under Section 167 of the Internal Revenue Code.

(9) Fiscal year. The term "fiscal year" means an accounting period of 12 months ending on the last day of any month other than December.

(10) Includes and including. The terms "includes" and "including" when used in a definition contained in this Act shall not be deemed to exclude other things otherwise within the meaning of the term defined.

(11) Internal Revenue Code. The term "Internal Revenue Code" means the United States Internal Revenue Code of 1954 or any successor law or laws relating to federal income taxes in effect for the taxable year.

(11.5) Investment partnership.

(A) The term "investment partnership" means any entity that is treated as a partnership for federal income tax purposes that meets the following requirements:

(i) no less than 90% of the partnership's cost of its total assets consists of qualifying investment securities, deposits at banks or other financial institutions, and office space and equipment reasonably necessary to carry on its activities as an investment partnership;

(ii) no less than 90% of its gross income consists of interest, dividends, and gains from the sale or exchange of qualifying investment securities; and

(iii) the partnership is not a dealer in qualifying investment securities.

(B) For purposes of this paragraph (11.5), the term "qualifying investment securities" includes all of the following:

(i) common stock, including preferred or debt securities convertible into common stock, and preferred stock;

(ii) bonds, debentures, and other debt securities;

(iii) foreign and domestic currency deposits secured by federal, state, or local governmental agencies;

(iv) mortgage or asset-backed securities secured by federal, state, or local governmental agencies;

(v) repurchase agreements and loan participations;

(vi) foreign currency exchange contracts and forward and futures contracts on foreign currencies;

(vii) stock and bond index securities and futures contracts and other similar financial securities and futures contracts on those securities;

(viii) options for the purchase or sale of any of the securities, currencies, contracts, or

financial instruments described in items (i) to (vii), inclusive:

(ix) regulated futures contracts;

(x) commodities (not described in Section 1221(a)(1) of the Internal Revenue Code) or futures, forwards, and options with respect to such commodities, provided, however, that any item of a physical commodity to which title is actually acquired in the partnership's capacity as a dealer in such commodity shall not be a qualifying investment security;

(xi) derivatives; and

(xii) a partnership interest in another partnership that is an investment partnership.

(12) Mathematical error. The term "mathematical error" includes the following types of errors, omissions, or defects in a return filed by a taxpayer which prevents acceptance of the return as filed for processing:

(A) arithmetic errors or incorrect computations on the return or supporting schedules;

(B) entries on the wrong lines;

(C) omission of required supporting forms or schedules or the omission of the information in whole or in part called for thereon; and

(D) an attempt to claim, exclude, deduct, or improperly report, in a manner directly contrary to the provisions of the Act and regulations thereunder any item of income, exemption, deduction, or credit.

(13) Nonbusiness income. The term "nonbusiness income" means all income other than business income or compensation.

(14) Nonresident. The term "nonresident" means a person who is not a resident.

(15) Paid, incurred and accrued. The terms "paid", "incurred" and "accrued" shall be construed according to the method of accounting upon the basis of which the person's base income is computed under this Act.

(16) Partnership and partner. The term "partnership" includes a syndicate, group, pool, joint venture or other unincorporated organization, through or by means of which any business, financial operation, or venture is carried on, and which is not, within the meaning of this Act, a trust or estate or a corporation; and the term "partner" includes a member in such syndicate, group, pool, joint venture or organization.

The term "partnership" includes any entity, including a limited liability company formed under the Illinois Limited Liability Company Act, classified as a partnership for federal income tax purposes.

The term "partnership" does not include a syndicate, group, pool, joint venture, or other unincorporated organization established for the sole purpose of playing the Illinois State Lottery.

(17) Part-year resident. The term "part-year resident" means an individual who became a resident during the taxable year or ceased to be a resident during the taxable year. Under Section 1501(a)(20)(A)(i) residence commences with presence in this State for other than a temporary or transitory purpose and ceases with absence from this State for other than a temporary or transitory purpose. Under Section 1501(a)(20)(A)(ii) residence commences with the establishment of domicile in this State and ceases with the establishment of domicile in another State.

(18) Person. The term "person" shall be construed to mean and include an individual, a trust, estate, partnership, association, firm, company, corporation, limited liability company, or fiduciary. For purposes of Section 1301 and 1302 of this Act, a "person" means (i) an individual, (ii) a corporation, (iii) an officer, agent, or employee of a corporation, (iv) a member, agent or employee of a partnership, or (v) a member, manager, employee, officer, director, or agent of a limited liability company who in such capacity commits an offense specified in Section 1301 and 1302.

(18A) Records. The term "records" includes all data maintained by the taxpayer, whether on paper, microfilm, microfiche, or any type of machine-sensible data compilation.

(19) Regulations. The term "regulations" includes rules promulgated and forms prescribed by the Department.

(20) Resident. The term "resident" means:

(A) an individual (i) who is in this State for other than a temporary or transitory purpose during the taxable year; or (ii) who is domiciled in this State but is absent from the State for a temporary or transitory purpose during the taxable year;

(B) The estate of a decedent who at his or her death was domiciled in this State;

(C) A trust created by a will of a decedent who at his death was domiciled in this

State; and

(D) An irrevocable trust, the grantor of which was domiciled in this State at the time such trust became irrevocable. For purpose of this subparagraph, a trust shall be considered irrevocable to the extent that the grantor is not treated as the owner thereof under Sections 671 through 678 of the Internal Revenue Code.

(21) Sales. The term "sales" means all gross receipts of the taxpayer not allocated under Sections 301, 302 and 303.

(22) State. The term "state" when applied to a jurisdiction other than this State means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any Territory or Possession of the United States, and any foreign country, or any political subdivision of any of the foregoing. For purposes of the foreign tax credit under Section 601, the term "state" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States, or any political subdivision of any of the foregoing, effective for tax years ending on or after December 31, 1989.

(23) Taxable year. The term "taxable year" means the calendar year, or the fiscal year ending during such calendar year, upon the basis of which the base income is computed under this Act. "Taxable year" means, in the case of a return made for a fractional part of a year under the provisions of this Act, the period for which such return is made.

(24) Taxpayer. The term "taxpayer" means any person subject to the tax imposed by this Act.

(25) International banking facility. The term international banking facility shall have the same meaning as is set forth in the Illinois Banking Act or as is set forth in the laws of the United States or regulations of the Board of Governors of the Federal Reserve System.

(26) Income Tax Return Preparer.

(A) The term "income tax return preparer" means any person who prepares for compensation, or who employs one or more persons to prepare for compensation, any return of tax imposed by this Act or any claim for refund of tax imposed by this Act. The preparation of a substantial portion of a return or claim for refund shall be treated as the preparation of that return or claim for refund.

(B) A person is not an income tax return preparer if all he or she does is

(i) furnish typing, reproducing, or other mechanical assistance;

(ii) prepare returns or claims for refunds for the employer by whom he or she is regularly and continuously employed;

(iii) prepare as a fiduciary returns or claims for refunds for any person; or

(iv) prepare claims for refunds for a taxpayer in response to any notice of deficiency issued to that taxpayer or in response to any waiver of restriction after the commencement of an audit of that taxpayer or of another taxpayer if a determination in the audit of the other taxpayer directly or indirectly affects the tax liability of the taxpayer whose claims he or she is preparing.

(27) Unitary business group. The term "unitary business group" means a group of persons related through common ownership whose business activities are integrated with, dependent upon and contribute to each other. The group will not include those members whose business activity outside the United States is 80% or more of any such member's total business activity; for purposes of this paragraph and clause (a)(3)(B)(ii) of Section 304, business activity within the United States shall be measured by means of the factors ordinarily applicable under subsections (a), (b), (c), (d), or (h) of Section 304 except that, in the case of members ordinarily required to apportion business income by means of the 3 factor formula of property, payroll and sales specified in subsection (a) of Section 304, including the formula as weighted in subsection (h) of Section 304, such members shall not use the sales factor in the computation and the results of the property and payroll factor computations of subsection (a) of Section 304 shall be divided by 2 (by one if either the property or payroll factor has a denominator of zero). The computation required by the preceding sentence shall, in each case, involve the division of the member's property, payroll, or revenue miles in the United States, insurance premiums on property or risk in the United States, or financial organization business income from sources within the United States, as the case may be, by the respective worldwide figures for such items. Common ownership in the case of corporations is the direct or indirect control or ownership of more than 50% of the outstanding voting stock of the persons carrying on unitary business activity. Unitary business activity can ordinarily be illustrated where the activities of the members are: (1) in the same general line (such as manufacturing, wholesaling, retailing of tangible personal property, insurance, transportation or

finance); or (2) are steps in a vertically structured enterprise or process (such as the steps involved in the production of natural resources, which might include exploration, mining, refining, and marketing); and, in either instance, the members are functionally integrated through the exercise of strong centralized management (where, for example, authority over such matters as purchasing, financing, tax compliance, product line, personnel, marketing and capital investment is not left to each member). In no event, however, will any unitary business group include members which are ordinarily required to apportion business income under different subsections of Section 304 except that for tax years ending on or after December 31, 1987 this prohibition shall not apply to a unitary business group composed of one or more taxpayers all of which apportion business income pursuant to subsection (b) of Section 304, or all of which apportion business income pursuant to subsection (d) of Section 304, and a holding company of such single-factor taxpayers (see definition of "financial organization" for rule regarding holding companies of financial organizations). If a unitary business group would, but for the preceding sentence, include members that are ordinarily required to apportion business income under different subsections of Section 304, then for each subsection of Section 304 for which there are two or more members, there shall be a separate unitary business group composed of such members. For purposes of the preceding two sentences, a member is "ordinarily required to apportion business income" under a particular subsection of Section 304 if it would be required to use the apportionment method prescribed by such subsection except for the fact that it derives business income solely from Illinois. If the unitary business group members' accounting periods differ, the common parent's accounting period or, if there is no common parent, the accounting period of the member that is expected to have, on a recurring basis, the greatest Illinois income tax liability must be used to determine whether to use the apportionment method provided in subsection (a) or subsection (h) of Section 304. The prohibition against membership in a unitary business group for taxpayers ordinarily required to apportion income under different subsections of Section 304 does not apply to taxpayers required to apportion income under subsection (a) and subsection (h) of Section 304. The provisions of this amendatory Act of 1998 apply to tax years ending on or after December 31, 1998.

(28) Subchapter S corporation. The term "Subchapter S corporation" means a corporation for which there is in effect an election under Section 1362 of the Internal Revenue Code, or for which there is a federal election to opt out of the provisions of the Subchapter S Revision Act of 1982 and have applied instead the prior federal Subchapter S rules as in effect on July 1, 1982.

(b) Other definitions.

(1) Words denoting number, gender, and so forth, when used in this Act, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(A) Words importing the singular include and apply to several persons, parties or things;

(B) Words importing the plural include the singular; and

(C) Words importing the masculine gender include the feminine as well.

(2) "Company" or "association" as including successors and assigns. The word "company" or "association", when used in reference to a corporation, shall be deemed to embrace the words "successors and assigns of such company or association", and in like manner as if these last-named words, or words of similar import, were expressed.

(3) Other terms. Any term used in any Section of this Act with respect to the application of, or in connection with, the provisions of any other Section of this Act shall have the same meaning as in such other Section.

(Source: P.A. 91-535, eff. 1-1-00; 91-913, eff. 1-1-01; 92-846, eff. 8-23-02)."

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 2207, AS AMENDED, by replacing everything after the enacting clause with the following:

"ARTICLE 1

Section 1-1. Short title. This Act may be cited as the FY2005 Budget Implementation (Revenue) Act.

Section 1-5. Purpose. It is the purpose of this Act to make changes in State programs that are [July 24, 2004]

necessary to implement the Governor's FY2005 budget recommendations concerning revenue.

ARTICLE 5

Section 5-5. The Illinois Insurance Code is amended by changing Section 416 as follows:
(215 ILCS 5/416)

Sec. 416. Industrial Commission Operations Fund Surcharge.

(a) As of the effective date of this amendatory Act of ~~2004 the 93rd General Assembly~~, every company licensed or authorized by the Illinois Department of Insurance and insuring employers' liabilities arising under the Workers' Compensation Act or the Workers' Occupational Diseases Act shall remit to the Director a surcharge based upon the annual direct written premium, as reported under Section 136 of this Act, of the company in the manner provided in this Section. Such proceeds shall be deposited into the Industrial Commission Operations Fund as established in the Workers' Compensation Act. If a company survives or was formed by a merger, consolidation, reorganization, or reincorporation, the direct written premiums of all companies party to the merger, consolidation, reorganization, or reincorporation shall, for purposes of determining the amount of the fee imposed by this Section, be regarded as those of the surviving or new company.

(b)(1) Except as provided in subsection (b)(2) of this Section, beginning on the effective date of this amendatory Act of 2004 and on July 1 of July 1, 2004 and each year thereafter, the Director shall charge an annual Industrial Commission Operations Fund Surcharge from every company subject to subsection (a) of this Section equal to 1.01% ~~4.5%~~ of its direct written premium for insuring employers' liabilities arising under the Workers' Compensation Act or Workers' Occupational Diseases Act as reported in each company's annual statement filed for the previous year as required by Section 136. The Industrial Commission Operations Fund Surcharge shall be collected by companies subject to subsection (a) of this Section as a separately stated surcharge on insured employers at the rate of 1.01% ~~4.5%~~ of direct written premium. The Industrial Commission Operations Fund Surcharge shall not be collected by companies subject to subsection (a) of this Section from any employer that self-insures its liabilities arising under the Workers' Compensation Act or Workers' Occupational Diseases Act, provided that the employer has paid the Industrial Commission Operations Fund Fee pursuant to Section 4d of the Workers' Compensation Act. All sums collected by the Department of Insurance under the provisions of this Section shall be paid promptly after the receipt of the same, accompanied by a detailed statement thereof, into the Industrial Commission Operations Fund in the State treasury.

(b)(2) The surcharge due pursuant to this amendatory Act of 2004 shall be collected instead of the surcharge due on July 1, 2004 under Public Act 93-32. Payment of the surcharge due under this amendatory Act of 2004 shall discharge the employer's obligations due on July 1, 2004. Prior to July 1, 2004, the Director shall charge and collect the surcharge set forth in subparagraph (b)(1) of this Section on or before September 1, 2003, December 1, 2003, March 1, 2004 and June 1, 2004. For purposes of this subsection (b)(2), the company shall remit the amounts to the Director based on estimated direct premium for each quarter beginning on July 1, 2003, together with a sworn statement attesting to the reasonableness of the estimate, and the estimated amount of direct premium written forming the bases of the remittance.

(c) In addition to the authority specifically granted under Article XXV of this Code, the Director shall have such authority to adopt rules or establish forms as may be reasonably necessary for purposes of enforcing this Section. The Director shall also have authority to defer, waive, or abate the surcharge or any penalties imposed by this Section if in the Director's opinion the company's solvency and ability to meet its insured obligations would be immediately threatened by payment of the surcharge due.

(d) When a company fails to pay the full amount of any annual Industrial Commission Operations Fund Surcharge of \$100 or more due under this Section, there shall be added to the amount due as a penalty the greater of \$1,000 or an amount equal to 5% of the deficiency for each month or part of a month that the deficiency remains unpaid.

(e) The Department of Insurance may enforce the collection of any delinquent payment, penalty, or portion thereof by legal action or in any other manner by which the collection of debts due the State of Illinois may be enforced under the laws of this State.

(f) Whenever it appears to the satisfaction of the Director that a company has paid pursuant to this Act an Industrial Commission Operations Fund Surcharge in an amount in excess of the amount legally collectable from the company, the Director shall issue a credit memorandum for an amount equal to the amount of such overpayment. A credit memorandum may be applied for the 2-year period

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from the date of issuance, against the payment of any amount due during that period under the surcharge imposed by this Section or, subject to reasonable rule of the Department of Insurance including requirement of notification, may be assigned to any other company subject to regulation under this Act. Any application of credit memoranda after the period provided for in this Section is void.

(g) Annually, the Governor may direct a transfer of up to 2% of all moneys collected under this Section to the Insurance Financial Regulation Fund.

(Source: P.A. 93-32, eff. 6-20-03.)

Section 5-10. The Workers' Compensation Act is amended by changing Section 4d as follows:
(820 ILCS 305/4d)

Sec. 4d. Industrial Commission Operations Fund Fee.

(a) As of the effective date of this amendatory Act of the 93rd General Assembly, each employer that self-insures its liabilities arising under this Act or Workers' Occupational Diseases Act shall pay a fee measured by the annual actual wages paid in this State of such an employer in the manner provided in this Section. Such proceeds shall be deposited in the Industrial Commission Operations Fund. If an employer survives or was formed by a merger, consolidation, reorganization, or reincorporation, the actual wages paid in this State of all employers party to the merger, consolidation, reorganization, or reincorporation shall, for purposes of determining the amount of the fee imposed by this Section, be regarded as those of the surviving or new employer.

(b) Beginning on the effective date of this amendatory Act of ~~2004 the 93rd General Assembly~~ and on July 1 of each year thereafter, the Chairman shall charge and collect an annual Industrial Commission Operations Fund Fee from every employer subject to subsection (a) of this Section equal to ~~0.0075%~~ ~~0.045%~~ of its annual actual wages paid in this State as reported in each employer's annual self-insurance renewal filed for the previous year as required by Section 4 of this Act and Section 4 of the Workers' Occupational Diseases Act. All sums collected by the Commission under the provisions of this Section shall be paid promptly after the receipt of the same, accompanied by a detailed statement thereof, into the Industrial Commission Operations Fund. The fee due pursuant to this amendatory Act of 2004 shall be collected instead of the fee due on July 1, 2004 under Public Act 93-32. Payment of the fee due under this amendatory Act of 2004 shall discharge the employer's obligations due on July 1, 2004.

(c) In addition to the authority specifically granted under Section 16, the Chairman shall have such authority to adopt rules or establish forms as may be reasonably necessary for purposes of enforcing this Section. The Commission shall have authority to defer, waive, or abate the fee or any penalties imposed by this Section if in the Commission's opinion the employer's solvency and ability to meet its obligations to pay workers' compensation benefits would be immediately threatened by payment of the fee due.

(d) When an employer fails to pay the full amount of any annual Industrial Commission Operations Fund Fee of \$100 or more due under this Section, there shall be added to the amount due as a penalty the greater of \$1,000 or an amount equal to 5% of the deficiency for each month or part of a month that the deficiency remains unpaid.

(e) The Commission may enforce the collection of any delinquent payment, penalty or portion thereof by legal action or in any other manner by which the collection of debts due the State of Illinois may be enforced under the laws of this State.

(f) Whenever it appears to the satisfaction of the Chairman that an employer has paid pursuant to this Act an Industrial Commission Operations Fund Fee in an amount in excess of the amount legally collectable from the employer, the Chairman shall issue a credit memorandum for an amount equal to the amount of such overpayment. A credit memorandum may be applied for the 2-year period from the date of issuance against the payment of any amount due during that period under the fee imposed by this Section or, subject to reasonable rule of the Commission including requirement of notification, may be assigned to any other employer subject to regulation under this Act. Any application of credit memoranda after the period provided for in this Section is void.

(Source: P.A. 93-32, eff. 6-20-03.)

ARTICLE 10

Section 10-5. The Illinois Identification Card Act is amended by changing Sections 2 and 12 as follows:

(15 ILCS 335/2) (from Ch. 124, par. 22)

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Sec. 2. Administration and powers and duties of the Administrator. (a) The Secretary of State is the Administrator of this Act, and he is charged with the duty of observing, administering and enforcing the provisions of this Act.

(b) The Secretary is vested with the powers and duties for the proper administration of this Act as follows:

1. He shall organize the administration of this Act as he may deem necessary and appoint such subordinate officers, clerks and other employees as may be necessary.

2. From time to time, he may make, amend or rescind rules and regulations as may be in the public interest to implement the Act.

3. He may prescribe or provide suitable forms as necessary, including such forms as are necessary to establish that an applicant for an Illinois Disabled Person Identification Card is a "disabled person" as defined in Section 4A of this Act.

4. He may prepare under the seal of the Secretary of State certified copies of any records utilized under this Act and any such certified copy shall be admissible in any proceeding in any court in like manner as the original thereof.

5. Records compiled under this Act shall be maintained for 6 years, but the Secretary may destroy such records with the prior approval of the State Records Commission.

6. He shall examine and determine the genuineness, regularity and legality of every application filed with him under this Act, and he may in all cases investigate the same, require additional information or proof or documentation from any applicant.

7. He shall require the payment of all fees prescribed in this Act, and all such fees received by him shall be placed in the Road Fund of the State treasury except as otherwise provided in Section 12 of this Act.

(Source: P.A. 83-1421.)

(15 ILCS 335/12) (from Ch. 124, par. 32)

Sec. 12. Fees concerning Standard Illinois Identification Cards. The fees required under this Act for standard Illinois Identification Cards must accompany any application provided for in this Act, and the Secretary shall collect such fees as follows:

a. Original card <u>issued on or before</u> <u>December 31, 2004</u>	\$4
<u>Original card issued on or after</u> <u>January 1, 2005</u>	<u>\$20</u>
b. Renewal card <u>issued on or before</u> <u>December 31, 2004</u>	4
<u>Renewal card issued on or after</u> <u>January 1, 2005</u>	<u>20</u>
c. Corrected card <u>issued on or before</u> <u>December 31, 2004</u>	2
<u>Corrected card issued on or after</u> <u>January 1, 2005</u>	<u>10</u>
d. Duplicate card <u>issued on or before</u> <u>December 31, 2004</u>	4
<u>Duplicate card issued on or after</u> <u>January 1, 2005</u>	<u>20</u>
e. Certified copy with seal	5
f. Search	2
g. Applicant 65 years of age or over	No Fee
h. Disabled applicant	No Fee
i. Individual living in Veterans Home or Hospital	No Fee

All fees collected under this Act shall be paid into the Road Fund of the State treasury, except that the following amounts shall be paid into the General Revenue Fund: (i) \$16 of the \$20 fee for an original, renewal, or duplicate Illinois Identification Card issued on or after January 1, 2005; and (ii) \$8 of the \$10 fee for a corrected Illinois Identification Card issued on or after January 1, 2005.

Any disabled person making an application for a standard Illinois Identification Card for no fee must, along with the application, submit an affirmation by the applicant on a form to be provided by the Secretary of State, attesting that such person is a disabled person as defined in Section 4A of this Act.

An individual, who resides in a veterans home or veterans hospital operated by the state or federal

government, who makes an application for an Illinois Identification Card to be issued at no fee, must submit, along with the application, an affirmation by the applicant on a form provided by the Secretary of State, that such person resides in a veterans home or veterans hospital operated by the state or federal government.

(Source: P.A. 83-1528.)

Section 10-10. The Illinois Lottery Law is amended by changing Section 10.2 as follows:
(20 ILCS 1605/10.2) (from Ch. 120, par. 1160.2)

Sec. 10.2. Application and other fees. Each application for a new lottery license must be accompanied by a one-time application fee of \$50; the Department, however, may waive the fee for licenses of limited duration as provided by Department rule. Each application for renewal of a lottery license must be accompanied by a renewal fee of \$25. Each lottery licensee granted on-line status pursuant to the Department's rules must pay a fee of \$10 per week as partial reimbursement for telecommunications charges incurred by the Department in providing access to the lottery's on-line gaming system. The Department, by rule, may increase or decrease the amount of these fees. The Department may charge an application fee except that such fee shall not exceed \$10.00 per annum.

(Source: P.A. 81-477.)

ARTICLE 15

Section 15-1. Short title. This Article may be cited as the Watercraft Use Tax Law, and references in this Article to "this Law" mean this Article.

Section 15-5. Definitions. For the purposes of this Law:

"Department" means the Department of Revenue.

"Purchase price" means the reasonable consideration paid for a watercraft whether received in money or otherwise, including, but not limited to, cash, credits, property, and services, and including the value of any motor sold with, or in conjunction with, the watercraft. Except in the case of transfers between immediate family members, reasonable consideration ordinarily means the fair market value on the date the watercraft or the share of the watercraft was acquired or the date the watercraft was brought into this State, whichever is later, unless the taxpayer can demonstrate that a different value is reasonable. In the case of transfers between immediate family members, reasonable consideration ordinarily means the consideration actually paid, unless it appears from the facts and circumstances that the primary motivation of the transfer was the avoidance of tax.

"Watercraft" means:

- (1) Class 2, Class 3, and Class 4 watercraft, as defined in Section 3-2 of the Boat Registration and Safety Act; or
- (2) personal watercraft, as defined in Section 1-2 of the Boat Registration and Safety Act.

Section 15-10. Tax imposed. A tax is hereby imposed on the privilege of using, in this State, any watercraft acquired by gift, transfer, or purchase after September 1, 2004. This tax does not apply if: (i) the use of the watercraft is otherwise taxed under the Use Tax Act; (ii) the watercraft is bought and used by a governmental agency or a society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes and that entity has been issued an exemption identification number under Section 1g of the Retailers' Occupation Tax Act; (iii) the use of the watercraft is not subject to the Use Tax Act by reason of subsection (a), (b), (c), (d), or (e) of Section 3-55 of that Act dealing with the prevention of actual or likely multi-state taxation; (iv) the transfer is a gift to a beneficiary in the administration of an estate and the beneficiary is a surviving spouse; or (v) the watercraft is exempted from the numbering provisions of Section 3-12 of the Boat Registration and Safety Act. However, the exemption from tax provided by item (v) shall not apply to a watercraft exempted under paragraphs A, B, C, F, and G of Section 3-12 of the Boat Registration and Safety Act if such watercraft are used upon the waters of this State for more than 30 days in any calendar year.

Section 15-15. Rate of tax.

The rate of tax is 6.25% of the purchase price for each purchase of watercraft that is subject to tax under this Law. When an ownership share of a watercraft is acquired, the tax is imposed on the

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purchase price of that share. All owners are jointly and severally liable for any tax due as a result of the purchase, gift, or transfer of an ownership share of the watercraft.

Section 15-20. Returns.

(a) The purchaser, transferee, or donee shall file with the Department a return signed by the purchaser, transferee, or donee on a form prescribed by the Department. The return shall contain a verification in substantially the following form and such other information as the Department may reasonably require:

VERIFICATION

I declare that I have examined this return and, to the best of my knowledge, it is true, correct, and complete. I understand that the penalty for willfully filing a false return is a fine not to exceed \$1,000 or imprisonment in a penal institution other than the penitentiary not to exceed one year, or both a fine and imprisonment.

(b) The return and payment from the purchaser, transferee, or donee shall be submitted to the Department within 30 days after the date of purchase, donation, or other transfer or the date the watercraft is brought into this State, whichever is later. Payment of tax is a condition to securing certificate of title for the watercraft from the Department of Natural Resources. When a purchaser, transferee, or donee pays the tax imposed by Section 5-10 of this Law, the Department (upon request therefor from the purchaser, transferee, or donee) shall issue an appropriate receipt to the purchaser, transferee, or donee showing that he or she has paid the tax to the Department. The receipt shall be sufficient to relieve the purchaser, transferee, or donee from further liability for the tax to which the receipt may refer.

Section 15-25. Filing false or incomplete return. Any person required to file a return under this Law who willfully files a false or incomplete return is guilty of a Class A misdemeanor.

Section 15-30. Determining purchase price. For the purpose of assisting in determining the validity of the purchase price reported on returns filed with the Department, the Department may furnish the following information to persons with whom the Department has contracted for service related to making that determination: (i) the purchase price stated on the return; (ii) the watercraft identification number; (iii) the year, the make, and the model name or number of the watercraft; (iv) the purchase date; and (v) the hours of operation.

Section 15-35. Powers of Department. The Department has full power to: (i) administer and enforce this Law; (ii) collect all taxes, penalties, and interest due under this Law; (iii) dispose of taxes, penalties, and interest so collected in the manner set forth in this Law; and (iv) determine all rights to credit memoranda or refunds arising on account of the erroneous payment of tax, penalty, or interest under this Law. In the administration of, and compliance with, this Law, the Department and persons who are subject to this Law have the same rights, remedies, privileges, immunities, powers, and duties, and are subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and employ the same modes of procedure, as are prescribed in the Use Tax Act (except for the provisions of Section 3-70), that are not inconsistent with this Law, as fully as if the provisions of the Use Tax Act were set forth in this Law. In addition to any other penalties imposed under law, any person convicted of violating the provisions of this Law shall be assessed a fine of \$1,000.

Section 15-40. Payments to State and Local Sales Tax Reform Fund and General Revenue Fund. The Department shall each month, upon collecting any taxes as provided in this Law, pay 20% of the money collected into the State and Local Sales Tax Reform Fund, a special fund in the State treasury, and 80% into the General Revenue Fund.

Section 15-45. Rules. The Department has the authority to adopt such rules as are reasonable and necessary to implement the provisions of this Law.

Section 15-990. The Retailers' Occupation Tax Act is amended by changing Section 1c as follows:
(35 ILCS 120/1c) (from Ch. 120, par. 440c)

Sec. 1c. A person who is engaged in the business of leasing or renting motor vehicles or, beginning July 1, 2003, aircraft or, beginning September 1, 2004, watercraft to others and who, in connection with such business sells any used motor vehicle, ~~or aircraft~~ or watercraft to a purchaser for his use

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and not for the purpose of resale, is a retailer engaged in the business of selling tangible personal property at retail under this Act to the extent of the value of the motor vehicle, ~~or~~ aircraft, ~~or~~ watercraft sold. For the purpose of this Section "motor vehicle" has the meaning prescribed in Section 1-157 of the Illinois Vehicle Code, as now or hereafter amended. For the purpose of this Section "aircraft" has the meaning prescribed in Section 3 of the Illinois Aeronautics Act. For the purpose of this Section, "watercraft" has the meaning prescribed in Section 5-5 of the Watercraft Use Tax Law. (Nothing provided herein shall affect liability incurred under this Act because of the sale at retail of such motor vehicles, ~~or~~ aircraft, ~~or~~ watercraft to a lessor.)

(Source: P.A. 93-24, eff. 6-20-03.)

Section 15-995. The Boat Registration and Safety Act is amended by changing Section 3A-5 as follows:

(625 ILCS 45/3A-5) (from Ch. 95 1/2, par. 313A-5)

Sec. 3A-5. Certificate of title - Issuance - Records.

(a) The Department of Natural Resources shall file each application received and, when satisfied as to its genuineness and regularity, and that no tax imposed by the "Use Tax Act" or the Watercraft Use Tax Law is owed as evidenced by the receipt for payment or determination of exemption from the Department of Revenue provided for in Section 3A-3 of this Article, and that the applicant is entitled to the issuance of a certificate of title, shall issue a certificate of title.

(b) The Department of Natural Resources shall maintain a record of all certificates of title issued under a distinctive title number assigned to the watercraft and, in the discretion of the Department, in any other method determined.

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

ARTICLE 20

Section 20-10. The Use Tax Act is amended by changing Sections 3-5 and 3-85 as follows:

(35 ILCS 105/3-5) (from Ch. 120, par. 439.3-5)

Sec. 3-5. Exemptions. Use of the following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property purchased from a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a not-for-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(4) Personal property purchased by a governmental body, by a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, or by a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active exemption identification number issued by the Department.

(5) Until July 1, 2003, a passenger car that is a replacement vehicle to the extent that the purchase price of the car is subject to the Replacement Vehicle Tax.

(6) Until July 1, 2003 and beginning again on September 1, 2004, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order, certified by the purchaser to be used primarily for graphic arts

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production, and including machinery and equipment purchased for lease. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(7) Farm chemicals.

(8) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(9) Personal property purchased from a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(10) A motor vehicle of the first division, a motor vehicle of the second division that is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through to the living quarters from the driver's seat, or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code, that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act.

(11) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (11). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (11) is exempt from the provisions of Section 3-90.

(12) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(13) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages purchased at retail from a retailer, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(14) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(15) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(16) Until July 1, 2003, coal exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(17) Until July 1, 2003, distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(18) Manufacturing and assembling machinery and equipment used primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether that sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether that sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser.

(19) Personal property delivered to a purchaser or purchaser's donee inside Illinois when the purchase order for that personal property was received by a florist located outside Illinois who has a florist located inside Illinois deliver the personal property.

(20) Semen used for artificial insemination of livestock for direct agricultural production.

(21) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes.

(22) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(23) Personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active sales tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(24) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(25) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the

disaster.

(26) Beginning July 1, 1999, game or game birds purchased at a "game breeding and hunting preserve area" or an "exotic game hunting area" as those terms are used in the Wildlife Code or at a hunting enclosure approved through rules adopted by the Department of Natural Resources. This paragraph is exempt from the provisions of Section 3-90.

(27) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(28) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-90.

(29) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-90.

(30) Food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article 5 of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act.

(31) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-90.

(32) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active sales tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or used in any other nonexempt manner, the lessor

shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-90.

(33) On and after July 1, 2003, the use in this State of motor vehicles of the second division with a gross vehicle weight in excess of 8,000 pounds and that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. This exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act.

(Source: P.A. 92-35, eff. 7-1-01; 92-227, eff. 8-2-01; 92-337, eff. 8-10-01; 92-484, eff. 8-23-01; 92-651, eff. 7-11-02; 93-23, eff. 6-20-03; 93-24, eff. 6-20-03; revised 9-11-03.)

(35 ILCS 105/3-85)

Sec. 3-85. Manufacturer's Purchase Credit. For purchases of machinery and equipment made on and after January 1, 1995 ~~and~~ through June 30, 2003, and on and after September 1, 2004, a purchaser of manufacturing machinery and equipment that qualifies for the exemption provided by paragraph (18) of Section 3-5 of this Act earns a credit in an amount equal to a fixed percentage of the tax which would have been incurred under this Act on those purchases. For purchases of graphic arts machinery and equipment made on or after July 1, 1996 and through June 30, 2003, and on and after September 1, 2004, a purchaser of graphic arts machinery and equipment that qualifies for the exemption provided by paragraph (6) of Section 3-5 of this Act earns a credit in an amount equal to a fixed percentage of the tax that would have been incurred under this Act on those purchases. The credit earned for purchases of manufacturing machinery and equipment or graphic arts machinery and equipment shall be referred to as the Manufacturer's Purchase Credit. A graphic arts producer is a person engaged in graphic arts production as defined in Section 2-30 of the Retailers' Occupation Tax Act. Beginning July 1, 1996, all references in this Section to manufacturers or manufacturing shall also be deemed to refer to graphic arts producers or graphic arts production.

The amount of credit shall be a percentage of the tax that would have been incurred on the purchase of manufacturing machinery and equipment or graphic arts machinery and equipment if the exemptions provided by paragraph (6) or paragraph (18) of Section 3-5 of this Act had not been applicable. The percentage shall be as follows:

- (1) 15% for purchases made on or before June 30, 1995.
- (2) 25% for purchases made after June 30, 1995, and on or before June 30, 1996.
- (3) 40% for purchases made after June 30, 1996, and on or before June 30, 1997.
- (4) 50% for purchases made on or after July 1, 1997.

(a) Manufacturer's Purchase Credit earned prior to July 1, 2003. This subsection (a) applies to Manufacturer's Purchase Credit earned prior to July 1, 2003. A purchaser of production related tangible personal property desiring to use the Manufacturer's Purchase Credit shall certify to the seller prior to October 1, 2003 that the purchaser is satisfying all or part of the liability under the Use Tax Act or the Service Use Tax Act that is due on the purchase of the production related tangible personal property by use of Manufacturer's Purchase Credit. The Manufacturer's Purchase Credit certification must be dated and shall include the name and address of the purchaser, the purchaser's registration number, if registered, the credit being applied, and a statement that the State Use Tax or Service Use Tax liability is being satisfied with the manufacturer's or graphic arts producer's accumulated purchase credit. Certification may be incorporated into the manufacturer's or graphic arts producer's purchase order. Manufacturer's Purchase Credit certification provided by the manufacturer or graphic arts producer prior to October 1, 2003 may be used to satisfy the retailer's or serviceman's liability under the Retailers' Occupation Tax Act or Service Occupation Tax Act for the credit claimed, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase, but only if the retailer or serviceman reports the Manufacturer's Purchase Credit claimed as required by the Department. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, 2003 shall be disallowed. The Manufacturer's Purchase Credit earned by purchase of exempt manufacturing machinery and equipment or graphic arts machinery and equipment is a non-transferable credit. A manufacturer or graphic arts producer that enters into a contract involving the installation of tangible personal property into real estate within a manufacturing or graphic arts production facility may, prior to October 1, 2003, authorize a construction contractor to utilize credit accumulated by the

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manufacturer or graphic arts producer to purchase the tangible personal property. A manufacturer or graphic arts producer intending to use accumulated credit to purchase such tangible personal property shall execute a written contract authorizing the contractor to utilize a specified dollar amount of credit. The contractor shall furnish, prior to October 1, 2003, the supplier with the manufacturer's or graphic arts producer's name, registration or resale number, and a statement that a specific amount of the Use Tax or Service Use Tax liability, not to exceed 6.25% of the selling price, is being satisfied with the credit. The manufacturer or graphic arts producer shall remain liable to timely report all information required by the annual Report of Manufacturer's Purchase Credit Used for all credit utilized by a construction contractor.

No Manufacturer's Purchase Credit earned prior to July 1, 2003 may be used after October 1, 2003.

The Manufacturer's Purchase Credit may be used to satisfy liability under the Use Tax Act or the Service Use Tax Act due on the purchase of production related tangible personal property (including purchases by a manufacturer, by a graphic arts producer, or by a lessor who rents or leases the use of the property to a manufacturer or graphic arts producer) that does not otherwise qualify for the manufacturing machinery and equipment exemption or the graphic arts machinery and equipment exemption. "Production related tangible personal property" means (i) all tangible personal property used or consumed by the purchaser in a manufacturing facility in which a manufacturing process described in Section 2-45 of the Retailers' Occupation Tax Act takes place, including tangible personal property purchased for incorporation into real estate within a manufacturing facility and including, but not limited to, tangible personal property used or consumed in activities such as preproduction material handling, receiving, quality control, inventory control, storage, staging, and packaging for shipping and transportation purposes; (ii) all tangible personal property used or consumed by the purchaser in a graphic arts facility in which graphic arts production as described in Section 2-30 of the Retailers' Occupation Tax Act takes place, including tangible personal property purchased for incorporation into real estate within a graphic arts facility and including, but not limited to, all tangible personal property used or consumed in activities such as graphic arts preliminary or pre-press production, pre-production material handling, receiving, quality control, inventory control, storage, staging, sorting, labeling, mailing, tying, wrapping, and packaging; and (iii) all tangible personal property used or consumed by the purchaser for research and development. "Production related tangible personal property" does not include (i) tangible personal property used, within or without a manufacturing facility, in sales, purchasing, accounting, fiscal management, marketing, personnel recruitment or selection, or landscaping or (ii) tangible personal property required to be titled or registered with a department, agency, or unit of federal, state, or local government. The Manufacturer's Purchase Credit may be used, prior to October 1, 2003, to satisfy the tax arising either from the purchase of machinery and equipment on or after January 1, 1995 for which the exemption provided by paragraph (18) of Section 3-5 of this Act was erroneously claimed, or the purchase of machinery and equipment on or after July 1, 1996 for which the exemption provided by paragraph (6) of Section 3-5 of this Act was erroneously claimed, but not in satisfaction of penalty, if any, and interest for failure to pay the tax when due. A purchaser of production related tangible personal property who is required to pay Illinois Use Tax or Service Use Tax on the purchase directly to the Department may, prior to October 1, 2003, utilize the Manufacturer's Purchase Credit in satisfaction of the tax arising from that purchase, but not in satisfaction of penalty and interest. A purchaser who uses the Manufacturer's Purchase Credit to purchase property which is later determined not to be production related tangible personal property may be liable for tax, penalty, and interest on the purchase of that property as of the date of purchase but shall be entitled to use the disallowed Manufacturer's Purchase Credit, so long as it has not expired and is used prior to October 1, 2003, on qualifying purchases of production related tangible personal property not previously subject to credit usage. The Manufacturer's Purchase Credit earned by a manufacturer or graphic arts producer expires the last day of the second calendar year following the calendar year in which the credit arose. No Manufacturer's Purchase Credit may be used after September 30, 2003 regardless of when that credit was earned.

A purchaser earning Manufacturer's Purchase Credit shall sign and file an annual Report of Manufacturer's Purchase Credit Earned for each calendar year no later than the last day of the sixth month following the calendar year in which a Manufacturer's Purchase Credit is earned. A Report of Manufacturer's Purchase Credit Earned shall be filed on forms as prescribed or approved by the Department and shall state, for each month of the calendar year: (i) the total purchase price of all purchases of exempt manufacturing or graphic arts machinery on which the credit was earned; (ii) the total State Use Tax or Service Use Tax which would have been due on those items; (iii) the percentage used to calculate the amount of credit earned; (iv) the amount of credit earned; and (v) such other

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information as the Department may reasonably require. A purchaser earning Manufacturer's Purchase Credit shall maintain records which identify, as to each purchase of manufacturing or graphic arts machinery and equipment on which the purchaser earned Manufacturer's Purchase Credit, the vendor (including, if applicable, either the vendor's registration number or Federal Employer Identification Number), the purchase price, and the amount of Manufacturer's Purchase Credit earned on each purchase.

A purchaser using Manufacturer's Purchase Credit shall sign and file an annual Report of Manufacturer's Purchase Credit Used for each calendar year no later than the last day of the sixth month following the calendar year in which a Manufacturer's Purchase Credit is used. A Report of Manufacturer's Purchase Credit Used shall be filed on forms as prescribed or approved by the Department and shall state, for each month of the calendar year: (i) the total purchase price of production related tangible personal property purchased from Illinois suppliers; (ii) the total purchase price of production related tangible personal property purchased from out-of-state suppliers; (iii) the total amount of credit used during such month; and (iv) such other information as the Department may reasonably require. A purchaser using Manufacturer's Purchase Credit shall maintain records that identify, as to each purchase of production related tangible personal property on which the purchaser used Manufacturer's Purchase Credit, the vendor (including, if applicable, either the vendor's registration number or Federal Employer Identification Number), the purchase price, and the amount of Manufacturer's Purchase Credit used on each purchase.

No annual report shall be filed before May 1, 1996 or after June 30, 2004. A purchaser that fails to file an annual Report of Manufacturer's Purchase Credit Earned or an annual Report of Manufacturer's Purchase Credit Used by the last day of the sixth month following the end of the calendar year shall forfeit all Manufacturer's Purchase Credit for that calendar year unless it establishes that its failure to file was due to reasonable cause. Manufacturer's Purchase Credit reports may be amended to report and claim credit on qualifying purchases not previously reported at any time before the credit would have expired, unless both the Department and the purchaser have agreed to an extension of the statute of limitations for the issuance of a notice of tax liability as provided in Section 4 of the Retailers' Occupation Tax Act. If the time for assessment or refund has been extended, then amended reports for a calendar year may be filed at any time prior to the date to which the statute of limitations for the calendar year or portion thereof has been extended. No Manufacturer's Purchase Credit report filed with the Department for periods prior to January 1, 1995 shall be approved. Manufacturer's Purchase Credit claimed on an amended report may be used, until October 1, 2003, to satisfy tax liability under the Use Tax Act or the Service Use Tax Act (i) on qualifying purchases of production related tangible personal property made after the date the amended report is filed or (ii) assessed by the Department on qualifying purchases of production related tangible personal property made in the case of manufacturers on or after January 1, 1995, or in the case of graphic arts producers on or after July 1, 1996.

If the purchaser is not the manufacturer or a graphic arts producer, but rents or leases the use of the property to a manufacturer or graphic arts producer, the purchaser may earn, report, and use Manufacturer's Purchase Credit in the same manner as a manufacturer or graphic arts producer.

A purchaser shall not be entitled to any Manufacturer's Purchase Credit for a purchase that is required to be reported and is not timely reported as provided in this Section. A purchaser remains liable for (i) any tax that was satisfied by use of a Manufacturer's Purchase Credit, as of the date of purchase, if that use is not timely reported as required in this Section and (ii) for any applicable penalties and interest for failing to pay the tax when due. No Manufacturer's Purchase Credit may be used after September 30, 2003 to satisfy any tax liability imposed under this Act, including any audit liability.

(b) Manufacturer's Purchase Credit earned on and after September 1, 2004. This subsection (b) applies to Manufacturer's Purchase Credit earned on and after September 1, 2004. Manufacturer's Purchase Credit earned on or after September 1, 2004 may only be used to satisfy the Use Tax or Service Use Tax liability incurred on production related tangible personal property purchased on or after September 1, 2004. A purchaser of production related tangible personal property desiring to use the Manufacturer's Purchase Credit shall certify to the seller that the purchaser is satisfying all or part of the liability under the Use Tax Act or the Service Use Tax Act that is due on the purchase of the production related tangible personal property by use of Manufacturer's Purchase Credit. The Manufacturer's Purchase Credit certification must be dated and shall include the name and address of the purchaser, the purchaser's registration number, if registered, the credit being applied, and a statement that the State Use Tax or Service Use Tax liability is being satisfied with the manufacturer's or graphic arts producer's accumulated purchase credit. Certification may be incorporated into the

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manufacturer's or graphic arts producer's purchase order. Manufacturer's Purchase Credit certification provided by the manufacturer or graphic arts producer may be used to satisfy the retailer's or serviceman's liability under the Retailers' Occupation Tax Act or Service Occupation Tax Act for the credit claimed, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase, but only if the retailer or serviceman reports the Manufacturer's Purchase Credit claimed as required by the Department. The Manufacturer's Purchase Credit earned by purchase of exempt manufacturing machinery and equipment or graphic arts machinery and equipment is a non-transferable credit. A manufacturer or graphic arts producer that enters into a contract involving the installation of tangible personal property into real estate within a manufacturing or graphic arts production facility may, on or after September 1, 2004, authorize a construction contractor to utilize credit accumulated by the manufacturer or graphic arts producer to purchase the tangible personal property. A manufacturer or graphic arts producer intending to use accumulated credit to purchase such tangible personal property shall execute a written contract authorizing the contractor to utilize a specified dollar amount of credit. The contractor shall furnish the supplier with the manufacturer's or graphic arts producer's name, registration or resale number, and a statement that a specific amount of the Use Tax or Service Use Tax liability, not to exceed 6.25% of the selling price, is being satisfied with the credit. The manufacturer or graphic arts producer shall remain liable to timely report all information required by the annual Report of Manufacturer's Purchase Credit Used for all credit utilized by a construction contractor.

The Manufacturer's Purchase Credit may be used to satisfy liability under the Use Tax Act or the Service Use Tax Act due on the purchase, made on or after September 1, 2004, of production related tangible personal property (including purchases by a manufacturer, by a graphic arts producer, or by a lessor who rents or leases the use of the property to a manufacturer or graphic arts producer) that does not otherwise qualify for the manufacturing machinery and equipment exemption or the graphic arts machinery and equipment exemption. "Production related tangible personal property" means (i) all tangible personal property used or consumed by the purchaser in a manufacturing facility in which a manufacturing process described in Section 2-45 of the Retailers' Occupation Tax Act takes place, including tangible personal property purchased for incorporation into real estate within a manufacturing facility and including, but not limited to, tangible personal property used or consumed in activities such as preproduction material handling, receiving, quality control, inventory control, storage, staging, and packaging for shipping and transportation purposes; (ii) all tangible personal property used or consumed by the purchaser in a graphic arts facility in which graphic arts production as described in Section 2-30 of the Retailers' Occupation Tax Act takes place, including tangible personal property purchased for incorporation into real estate within a graphic arts facility and including, but not limited to, all tangible personal property used or consumed in activities such as graphic arts preliminary or pre-press production, pre-production material handling, receiving, quality control, inventory control, storage, staging, sorting, labeling, mailing, tying, wrapping, and packaging; and (iii) all tangible personal property used or consumed by the purchaser for research and development. "Production related tangible personal property" does not include (i) tangible personal property used, within or without a manufacturing facility, in sales, purchasing, accounting, fiscal management, marketing, personnel recruitment or selection, or landscaping or (ii) tangible personal property required to be titled or registered with a department, agency, or unit of federal, state, or local government. The Manufacturer's Purchase Credit may be used to satisfy the tax arising either from the purchase of machinery and equipment on or after September 1, 2004 for which the exemption provided by paragraph (18) of Section 3-5 of this Act was erroneously claimed, or the purchase of machinery and equipment on or after September 1, 2004 for which the exemption provided by paragraph (6) of Section 3-5 of this Act was erroneously claimed, but not in satisfaction of penalty, if any, and interest for failure to pay the tax when due. A purchaser of production related tangible personal property that is purchased on or after September 1, 2004 who is required to pay Illinois Use Tax or Service Use Tax on the purchase directly to the Department may utilize the Manufacturer's Purchase Credit in satisfaction of the tax arising from that purchase, but not in satisfaction of penalty and interest. A purchaser who uses the Manufacturer's Purchase Credit to purchase property on and after September 1, 2004 which is later determined not to be production related tangible personal property may be liable for tax, penalty, and interest on the purchase of that property as of the date of purchase but shall be entitled to use the disallowed Manufacturer's Purchase Credit, so long as it has not expired and is used on qualifying purchases of production related tangible personal property not previously subject to credit usage. The Manufacturer's Purchase Credit earned by a manufacturer or graphic arts producer expires the last day of the second calendar year following the calendar year in which the credit arose. A purchaser earning Manufacturer's Purchase Credit shall sign and file an

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annual Report of Manufacturer's Purchase Credit Earned for each calendar year no later than the last day of the sixth month following the calendar year in which a Manufacturer's Purchase Credit is earned. A Report of Manufacturer's Purchase Credit Earned shall be filed on forms as prescribed or approved by the Department and shall state, for each month of the calendar year: (i) the total purchase price of all purchases of exempt manufacturing or graphic arts machinery on which the credit was earned; (ii) the total State Use Tax or Service Use Tax which would have been due on those items; (iii) the percentage used to calculate the amount of credit earned; (iv) the amount of credit earned; and (v) such other information as the Department may reasonably require. A purchaser earning Manufacturer's Purchase Credit shall maintain records which identify, as to each purchase of manufacturing or graphic arts machinery and equipment on which the purchaser earned Manufacturer's Purchase Credit, the vendor (including, if applicable, either the vendor's registration number or Federal Employer Identification Number), the purchase price, and the amount of Manufacturer's Purchase Credit earned on each purchase. A purchaser using Manufacturer's Purchase Credit shall sign and file an annual Report of Manufacturer's Purchase Credit Used for each calendar year no later than the last day of the sixth month following the calendar year in which a Manufacturer's Purchase Credit is used. A Report of Manufacturer's Purchase Credit Used shall be filed on forms as prescribed or approved by the Department and shall state, for each month of the calendar year: (i) the total purchase price of production related tangible personal property purchased from Illinois suppliers; (ii) the total purchase price of production related tangible personal property purchased from out-of-state suppliers; (iii) the total amount of credit used during such month; and (iv) such other information as the Department may reasonably require. A purchaser using Manufacturer's Purchase Credit shall maintain records that identify, as to each purchase of production related tangible personal property on which the purchaser used Manufacturer's Purchase Credit, the vendor (including, if applicable, either the vendor's registration number or Federal Employer Identification Number), the purchase price, and the amount of Manufacturer's Purchase Credit used on each purchase.

A purchaser that fails to file an annual Report of Manufacturer's Purchase Credit Earned or an annual Report of Manufacturer's Purchase Credit Used by the last day of the sixth month following the end of the calendar year shall forfeit all Manufacturer's Purchase Credit for that calendar year unless it establishes that its failure to file was due to reasonable cause. Manufacturer's Purchase Credit reports may be amended to report and claim credit on qualifying purchases not previously reported at any time before the credit would have expired, unless both the Department and the purchaser have agreed to an extension of the statute of limitations for the issuance of a notice of tax liability as provided in Section 4 of the Retailers' Occupation Tax Act. If the time for assessment or refund has been extended, then amended reports for a calendar year may be filed at any time prior to the date to which the statute of limitations for the calendar year or portion thereof has been extended. Manufacturer's Purchase Credit claimed on an amended report may be used to satisfy tax liability under the Use Tax Act or the Service Use Tax Act (i) on qualifying purchases of production related tangible personal property made after the date the amended report is filed or (ii) assessed by the Department on qualifying production related tangible personal property purchased on or after September 1, 2004. If the purchaser is not the manufacturer or a graphic arts producer, but rents or leases the use of the property to a manufacturer or graphic arts producer, the purchaser may earn, report, and use Manufacturer's Purchase Credit in the same manner as a manufacturer or graphic arts producer. A purchaser shall not be entitled to any Manufacturer's Purchase Credit for a purchase that is required to be reported and is not timely reported as provided in this Section. A purchaser remains liable for (i) any tax that was satisfied by use of a Manufacturer's Purchase Credit, as of the date of purchase, if that use is not timely reported as required in this Section and (ii) for any applicable penalties and interest for failing to pay the tax when due.

(Source: P.A. 93-24, eff. 6-20-03.)

Section 20-15. The Service Use Tax Act is amended by changing Sections 3-5 and 3-70 as follows: (35 ILCS 110/3-5) (from Ch. 120, par. 439.33-5)

Sec. 3-5. Exemptions. Use of the following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property purchased from a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a non-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

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(3) Personal property purchased by a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(4) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(5) Until July 1, 2003 and beginning again on September 1, 2004, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(6) Personal property purchased from a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (7). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 3-75.

(8) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(9) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages acquired as an incident to the purchase of a service from a serviceman, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(10) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(11) Proceeds from the sale of photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and

equipment purchased for lease.

(12) Until July 1, 2003, coal exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(13) Semen used for artificial insemination of livestock for direct agricultural production.

(14) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes.

(15) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(16) Personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(17) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(18) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(19) Beginning July 1, 1999, game or game birds purchased at a "game breeding and hunting preserve area" or an "exotic game hunting area" as those terms are used in the Wildlife Code or at a hunting enclosure approved through rules adopted by the Department of Natural Resources. This paragraph is exempt from the provisions of Section 3-75.

(20) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all

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tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(21) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-75.

(22) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-75.

(23) Food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article 5 of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act.

(24) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-75.

(25) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or is used in any other nonexempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the nonqualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department. This paragraph is exempt from the provisions of Section 3-75.

(Source: P.A. 92-16, eff. 6-28-01; 92-35, eff. 7-1-01; 92-227, eff. 8-2-01; 92-337, eff. 8-10-01; 92-484, eff. 8-23-01; 92-651, eff. 7-11-02; 93-24, eff. 6-20-03.)

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(35 ILCS 110/3-70)

Sec. 3-70. Manufacturer's Purchase Credit. For purchases of machinery and equipment made on and after January 1, 1995 and through June 30, 2003, and on and after September 1, 2004, a purchaser of manufacturing machinery and equipment that qualifies for the exemption provided by Section 2 of this Act earns a credit in an amount equal to a fixed percentage of the tax which would have been incurred under this Act on those purchases. For purchases of graphic arts machinery and equipment made on or after July 1, 1996 ~~and~~ through June 30, 2003, and on and after September 1, 2004, a purchase of graphic arts machinery and equipment that qualifies for the exemption provided by paragraph (5) of Section 3-5 of this Act earns a credit in an amount equal to a fixed percentage of the tax that would have been incurred under this Act on those purchases. The credit earned for the purchase of manufacturing machinery and equipment and graphic arts machinery and equipment shall be referred to as the Manufacturer's Purchase Credit. A graphic arts producer is a person engaged in graphic arts production as defined in Section 3-30 of the Service Occupation Tax Act. Beginning July 1, 1996, all references in this Section to manufacturers or manufacturing shall also refer to graphic arts producers or graphic arts production.

The amount of credit shall be a percentage of the tax that would have been incurred on the purchase of the manufacturing machinery and equipment or graphic arts machinery and equipment if the exemptions provided by Section 2 or paragraph (5) of Section 3-5 of this Act had not been applicable.

All purchases prior to October 1, 2003 of manufacturing machinery and equipment and graphic arts machinery and equipment that qualify for the exemptions provided by paragraph (5) of Section 2 or paragraph (5) of Section 3-5 of this Act qualify for the credit without regard to whether the serviceman elected, or could have elected, under paragraph (7) of Section 2 of this Act to exclude the transaction from this Act. If the serviceman's billing to the service customer separately states a selling price for the exempt manufacturing machinery or equipment or the exempt graphic arts machinery and equipment, the credit shall be calculated, as otherwise provided herein, based on that selling price. If the serviceman's billing does not separately state a selling price for the exempt manufacturing machinery and equipment or the exempt graphic arts machinery and equipment, the credit shall be calculated, as otherwise provided herein, based on 50% of the entire billing. If the serviceman contracts to design, develop, and produce special order manufacturing machinery and equipment or special order graphic arts machinery and equipment, and the billing does not separately state a selling price for such special order machinery and equipment, the credit shall be calculated, as otherwise provided herein, based on 50% of the entire billing. The provisions of this paragraph are effective for purchases made on or after January 1, 1995.

The percentage shall be as follows:

- (1) 15% for purchases made on or before June 30, 1995.
- (2) 25% for purchases made after June 30, 1995, and on or before June 30, 1996.
- (3) 40% for purchases made after June 30, 1996, and on or before June 30, 1997.
- (4) 50% for purchases made on or after July 1, 1997.

(a) Manufacturer's Purchase Credit earned prior to July 1, 2003. This subsection (a) applies to Manufacturer's Purchase Credit earned prior to July 1, 2003. A purchaser of production related tangible personal property desiring to use the Manufacturer's Purchase Credit shall certify to the seller prior to October 1, 2003 that the purchaser is satisfying all or part of the liability under the Use Tax Act or the Service Use Tax Act that is due on the purchase of the production related tangible personal property by use of a Manufacturer's Purchase Credit. The Manufacturer's Purchase Credit certification must be dated and shall include the name and address of the purchaser, the purchaser's registration number, if registered, the credit being applied, and a statement that the State Use Tax or Service Use Tax liability is being satisfied with the manufacturer's or graphic arts producer's accumulated purchase credit. Certification may be incorporated into the manufacturer's or graphic arts producer's purchase order. Manufacturer's Purchase Credit certification provided by the manufacturer or graphic arts producer prior to October 1, 2003 may be used to satisfy the retailer's or serviceman's liability under the Retailers' Occupation Tax Act or Service Occupation Tax Act for the credit claimed, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase, but only if the retailer or serviceman reports the Manufacturer's Purchase Credit claimed as required by the Department. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, 2003 shall be disallowed. The Manufacturer's Purchase Credit earned by purchase of exempt manufacturing machinery and equipment or graphic arts machinery and equipment is a non-transferable credit. A manufacturer or graphic arts producer that enters into a contract involving the installation of tangible personal property into real estate within a manufacturing or graphic arts production facility, prior to October 1, 2003, may authorize a construction contractor to utilize credit accumulated by the

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manufacturer or graphic arts producer to purchase the tangible personal property. A manufacturer or graphic arts producer intending to use accumulated credit to purchase such tangible personal property shall execute a written contract authorizing the contractor to utilize a specified dollar amount of credit. The contractor shall furnish, prior to October 1, 2003, the supplier with the manufacturer's or graphic arts producer's name, registration or resale number, and a statement that a specific amount of the Use Tax or Service Use Tax liability, not to exceed 6.25% of the selling price, is being satisfied with the credit. The manufacturer or graphic arts producer shall remain liable to timely report all information required by the annual Report of Manufacturer's Purchase Credit Used for credit utilized by a construction contractor.

No Manufacturer's Purchase Credit earned prior to July 1, 2003 may be used after October 1, 2003.

The Manufacturer's Purchase Credit may be used to satisfy liability under the Use Tax Act or the Service Use Tax Act due on the purchase of production related tangible personal property (including purchases by a manufacturer, by a graphic arts producer, or a lessor who rents or leases the use of the property to a manufacturer or graphic arts producer) that does not otherwise qualify for the manufacturing machinery and equipment exemption or the graphic arts machinery and equipment exemption. "Production related tangible personal property" means (i) all tangible personal property used or consumed by the purchaser in a manufacturing facility in which a manufacturing process described in Section 2-45 of the Retailers' Occupation Tax Act takes place, including tangible personal property purchased for incorporation into real estate within a manufacturing facility and including, but not limited to, tangible personal property used or consumed in activities such as pre-production material handling, receiving, quality control, inventory control, storage, staging, and packaging for shipping and transportation purposes; (ii) all tangible personal property used or consumed by the purchaser in a graphic arts facility in which graphic arts production as described in Section 2-30 of the Retailers' Occupation Tax Act takes place, including tangible personal property purchased for incorporation into real estate within a graphic arts facility and including, but not limited to, all tangible personal property used or consumed in activities such as graphic arts preliminary or pre-press production, pre-production material handling, receiving, quality control, inventory control, storage, staging, sorting, labeling, mailing, tying, wrapping, and packaging; and (iii) all tangible personal property used or consumed by the purchaser for research and development. "Production related tangible personal property" does not include (i) tangible personal property used, within or without a manufacturing or graphic arts facility, in sales, purchasing, accounting, fiscal management, marketing, personnel recruitment or selection, or landscaping or (ii) tangible personal property required to be titled or registered with a department, agency, or unit of federal, state, or local government. The Manufacturer's Purchase Credit may be used, prior to October 1, 2003, to satisfy the tax arising either from the purchase of machinery and equipment on or after January 1, 1995 for which the manufacturing machinery and equipment exemption provided by Section 2 of this Act was erroneously claimed, or the purchase of machinery and equipment on or after July 1, 1996 for which the exemption provided by paragraph (5) of Section 3-5 of this Act was erroneously claimed, but not in satisfaction of penalty, if any, and interest for failure to pay the tax when due. A purchaser of production related tangible personal property who is required to pay Illinois Use Tax or Service Use Tax on the purchase directly to the Department may, prior to October 1, 2003, utilize the Manufacturer's Purchase Credit in satisfaction of the tax arising from that purchase, but not in satisfaction of penalty and interest. A purchaser who uses the Manufacturer's Purchase Credit to purchase property which is later determined not to be production related tangible personal property may be liable for tax, penalty, and interest on the purchase of that property as of the date of purchase but shall be entitled to use the disallowed Manufacturer's Purchase Credit, so long as it has not expired and is used prior to October 1, 2003, on qualifying purchases of production related tangible personal property not previously subject to credit usage. The Manufacturer's Purchase Credit earned by a manufacturer or graphic arts producer expires the last day of the second calendar year following the calendar year in which the credit arose. No Manufacturer's Purchase Credit may be used after September 30, 2003 regardless of when that credit was earned.

A purchaser earning Manufacturer's Purchase Credit shall sign and file an annual Report of Manufacturer's Purchase Credit Earned for each calendar year no later than the last day of the sixth month following the calendar year in which a Manufacturer's Purchase Credit is earned. A Report of Manufacturer's Purchase Credit Earned shall be filed on forms as prescribed or approved by the Department and shall state, for each month of the calendar year: (i) the total purchase price of all purchases of exempt manufacturing or graphic arts machinery on which the credit was earned; (ii) the total State Use Tax or Service Use Tax which would have been due on those items; (iii) the percentage used to calculate the amount of credit earned; (iv) the amount of credit earned; and (v) such other

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information as the Department may reasonably require. A purchaser earning Manufacturer's Purchase Credit shall maintain records which identify, as to each purchase of manufacturing or graphic arts machinery and equipment on which the purchaser earned Manufacturer's Purchase Credit, the vendor (including, if applicable, either the vendor's registration number or Federal Employer Identification Number), the purchase price, and the amount of Manufacturer's Purchase Credit earned on each purchase.

A purchaser using Manufacturer's Purchase Credit shall sign and file an annual Report of Manufacturer's Purchase Credit Used for each calendar year no later than the last day of the sixth month following the calendar year in which a Manufacturer's Purchase Credit is used. A Report of Manufacturer's Purchase Credit Used shall be filed on forms as prescribed or approved by the Department and shall state, for each month of the calendar year: (i) the total purchase price of production related tangible personal property purchased from Illinois suppliers; (ii) the total purchase price of production related tangible personal property purchased from out-of-state suppliers; (iii) the total amount of credit used during such month; and (iv) such other information as the Department may reasonably require. A purchaser using Manufacturer's Purchase Credit shall maintain records that identify, as to each purchase of production related tangible personal property on which the purchaser used Manufacturer's Purchase Credit, the vendor (including, if applicable, either the vendor's registration number or Federal Employer Identification Number), the purchase price, and the amount of Manufacturer's Purchase Credit used on each purchase.

No annual report shall be filed before May 1, 1996 or after June 30, 2004. A purchaser that fails to file an annual Report of Manufacturer's Purchase Credit Earned or an annual Report of Manufacturer's Purchase Credit Used by the last day of the sixth month following the end of the calendar year shall forfeit all Manufacturer's Purchase Credit for that calendar year unless it establishes that its failure to file was due to reasonable cause. Manufacturer's Purchase Credit reports may be amended to report and claim credit on qualifying purchases not previously reported at any time before the credit would have expired, unless both the Department and the purchaser have agreed to an extension of the statute of limitations for the issuance of a notice of tax liability as provided in Section 4 of the Retailers' Occupation Tax Act. If the time for assessment or refund has been extended, then amended reports for a calendar year may be filed at any time prior to the date to which the statute of limitations for the calendar year or portion thereof has been extended. No Manufacturer's Purchase Credit report filed with the Department for periods prior to January 1, 1995 shall be approved. Manufacturer's Purchase Credit claimed on an amended report may be used, prior to October 1, 2003, to satisfy tax liability under the Use Tax Act or the Service Use Tax Act (i) on qualifying purchases of production related tangible personal property made after the date the amended report is filed or (ii) assessed by the Department on qualifying purchases of production related tangible personal property made in the case of manufacturers on or after January 1, 1995, or in the case of graphic arts producers on or after July 1, 1996.

If the purchaser is not the manufacturer or a graphic arts producer, but rents or leases the use of the property to a manufacturer or a graphic arts producer, the purchaser may earn, report, and use Manufacturer's Purchase Credit in the same manner as a manufacturer or graphic arts producer.

A purchaser shall not be entitled to any Manufacturer's Purchase Credit for a purchase that is required to be reported and is not timely reported as provided in this Section. A purchaser remains liable for (i) any tax that was satisfied by use of a Manufacturer's Purchase Credit, as of the date of purchase, if that use is not timely reported as required in this Section and (ii) for any applicable penalties and interest for failing to pay the tax when due. No Manufacturer's Purchase Credit may be used after September 30, 2003 to satisfy any tax liability imposed under this Act, including any audit liability.

(b) Manufacturer's Purchase Credit earned on and after September 1, 2004. This subsection (b) applies to Manufacturer's Purchase Credit earned on or after September 1, 2004. Manufacturer's Purchase Credit earned on or after September 1, 2004 may only be used to satisfy the Use Tax or Service Use Tax liability incurred on production related tangible personal property purchased on or after September 1, 2004. A purchaser of production related tangible personal property desiring to use the Manufacturer's Purchase Credit shall certify to the seller that the purchaser is satisfying all or part of the liability under the Use Tax Act or the Service Use Tax Act that is due on the purchase of the production related tangible personal property by use of a Manufacturer's Purchase Credit. The Manufacturer's Purchase Credit certification must be dated and shall include the name and address of the purchaser, the purchaser's registration number, if registered, the credit being applied, and a statement that the State Use Tax or Service Use Tax liability is being satisfied with the manufacturer's or graphic arts producer's accumulated purchase credit. Certification may be incorporated into the

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manufacturer's or graphic arts producer's purchase order. Manufacturer's Purchase Credit certification provided by the manufacturer or graphic arts producer may be used to satisfy the retailer's or serviceman's liability under the Retailers' Occupation Tax Act or Service Occupation Tax Act for the credit claimed, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase, but only if the retailer or serviceman reports the Manufacturer's Purchase Credit claimed as required by the Department. The Manufacturer's Purchase Credit earned by purchase of exempt manufacturing machinery and equipment or graphic arts machinery and equipment is a non-transferable credit. A manufacturer or graphic arts producer that enters into a contract involving the installation of tangible personal property into real estate within a manufacturing or graphic arts production facility may, on or after September 1, 2004, authorize a construction contractor to utilize credit accumulated by the manufacturer or graphic arts producer to purchase the tangible personal property. A manufacturer or graphic arts producer intending to use accumulated credit to purchase such tangible personal property shall execute a written contract authorizing the contractor to utilize a specified dollar amount of credit. The contractor shall furnish the supplier with the manufacturer's or graphic arts producer's name, registration or resale number, and a statement that a specific amount of the Use Tax or Service Use Tax liability, not to exceed 6.25% of the selling price, is being satisfied with the credit. The manufacturer or graphic arts producer shall remain liable to timely report all information required by the annual Report of Manufacturer's Purchase Credit Used for credit utilized by a construction contractor.

The Manufacturer's Purchase Credit may be used to satisfy liability under the Use Tax Act or the Service Use Tax Act due on the purchase, made on or after September 1, 2004, of production related tangible personal property (including purchases by a manufacturer, by a graphic arts producer, or a lessor who rents or leases the use of the property to a manufacturer or graphic arts producer) that does not otherwise qualify for the manufacturing machinery and equipment exemption or the graphic arts machinery and equipment exemption. "Production related tangible personal property" means (i) all tangible personal property used or consumed by the purchaser in a manufacturing facility in which a manufacturing process described in Section 2-45 of the Retailers' Occupation Tax Act takes place, including tangible personal property purchased for incorporation into real estate within a manufacturing facility and including, but not limited to, tangible personal property used or consumed in activities such as pre-production material handling, receiving, quality control, inventory control, storage, staging, and packaging for shipping and transportation purposes; (ii) all tangible personal property used or consumed by the purchaser in a graphic arts facility in which graphic arts production as described in Section 2-30 of the Retailers' Occupation Tax Act takes place, including tangible personal property purchased for incorporation into real estate within a graphic arts facility and including, but not limited to, all tangible personal property used or consumed in activities such as graphic arts preliminary or pre-press production, pre-production material handling, receiving, quality control, inventory control, storage, staging, sorting, labeling, mailing, tying, wrapping, and packaging; and (iii) all tangible personal property used or consumed by the purchaser for research and development. "Production related tangible personal property" does not include (i) tangible personal property used, within or without a manufacturing or graphic arts facility, in sales, purchasing, accounting, fiscal management, marketing, personnel recruitment or selection, or landscaping or (ii) tangible personal property required to be titled or registered with a department, agency, or unit of federal, state, or local government. The Manufacturer's Purchase Credit may be used to satisfy the tax arising either from the purchase of machinery and equipment on or after September 1, 2004 for which the manufacturing machinery and equipment exemption provided by Section 2 of this Act was erroneously claimed, or the purchase of machinery and equipment on or after September 1, 2004 for which the exemption provided by paragraph (5) of Section 3-5 of this Act was erroneously claimed, but not in satisfaction of penalty, if any, and interest for failure to pay the tax when due. A purchaser of production related tangible personal property that is purchased on or after September 1, 2004 who is required to pay Illinois Use Tax or Service Use Tax on the purchase directly to the Department may utilize the Manufacturer's Purchase Credit in satisfaction of the tax arising from that purchase, but not in satisfaction of penalty and interest. A purchaser who uses the Manufacturer's Purchase Credit to purchase property on and after September 1, 2004 which is later determined not to be production related tangible personal property may be liable for tax, penalty, and interest on the purchase of that property as of the date of purchase but shall be entitled to use the disallowed Manufacturer's Purchase Credit, so long as it has not expired, on qualifying purchases of production related tangible personal property not previously subject to credit usage. The Manufacturer's Purchase Credit earned by a manufacturer or graphic arts producer expires the last day of the second calendar year following the calendar year in which the credit arose.

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A purchaser earning Manufacturer's Purchase Credit shall sign and file an annual Report of Manufacturer's Purchase Credit Earned for each calendar year no later than the last day of the sixth month following the calendar year in which a Manufacturer's Purchase Credit is earned. A Report of Manufacturer's Purchase Credit Earned shall be filed on forms as prescribed or approved by the Department and shall state, for each month of the calendar year: (i) the total purchase price of all purchases of exempt manufacturing or graphic arts machinery on which the credit was earned; (ii) the total State Use Tax or Service Use Tax which would have been due on those items; (iii) the percentage used to calculate the amount of credit earned; (iv) the amount of credit earned; and (v) such other information as the Department may reasonably require. A purchaser earning Manufacturer's Purchase Credit shall maintain records which identify, as to each purchase of manufacturing or graphic arts machinery and equipment on which the purchaser earned Manufacturer's Purchase Credit, the vendor (including, if applicable, either the vendor's registration number or Federal Employer Identification Number), the purchase price, and the amount of Manufacturer's Purchase Credit earned on each purchase.

A purchaser using Manufacturer's Purchase Credit shall sign and file an annual Report of Manufacturer's Purchase Credit Used for each calendar year no later than the last day of the sixth month following the calendar year in which a Manufacturer's Purchase Credit is used. A Report of Manufacturer's Purchase Credit Used shall be filed on forms as prescribed or approved by the Department and shall state, for each month of the calendar year: (i) the total purchase price of production related tangible personal property purchased from Illinois suppliers; (ii) the total purchase price of production related tangible personal property purchased from out-of-state suppliers; (iii) the total amount of credit used during such month; and (iv) such other information as the Department may reasonably require. A purchaser using Manufacturer's Purchase Credit shall maintain records that identify, as to each purchase of production related tangible personal property on which the purchaser used Manufacturer's Purchase Credit, the vendor (including, if applicable, either the vendor's registration number or Federal Employer Identification Number), the purchase price, and the amount of Manufacturer's Purchase Credit used on each purchase.

A purchaser that fails to file an annual Report of Manufacturer's Purchase Credit Earned or an annual Report of Manufacturer's Purchase Credit Used by the last day of the sixth month following the end of the calendar year shall forfeit all Manufacturer's Purchase Credit for that calendar year unless it establishes that its failure to file was due to reasonable cause. Manufacturer's Purchase Credit reports may be amended to report and claim credit on qualifying purchases not previously reported at any time before the credit would have expired, unless both the Department and the purchaser have agreed to an extension of the statute of limitations for the issuance of a notice of tax liability as provided in Section 4 of the Retailers' Occupation Tax Act. If the time for assessment or refund has been extended, then amended reports for a calendar year may be filed at any time prior to the date to which the statute of limitations for the calendar year or portion thereof has been extended. Manufacturer's Purchase Credit claimed on an amended report may be used to satisfy tax liability under the Use Tax Act or the Service Use Tax Act (i) on qualifying purchases of production related tangible personal property made after the date the amended report is filed or (ii) assessed by the Department on qualifying production related tangible personal property purchased on or after September 1, 2004.

If the purchaser is not the manufacturer or a graphic arts producer, but rents or leases the use of the property to a manufacturer or a graphic arts producer, the purchaser may earn, report, and use Manufacturer's Purchase Credit in the same manner as a manufacturer or graphic arts producer. A purchaser shall not be entitled to any Manufacturer's Purchase Credit for a purchase that is required to be reported and is not timely reported as provided in this Section. A purchaser remains liable for (i) any tax that was satisfied by use of a Manufacturer's Purchase Credit, as of the date of purchase, if that use is not timely reported as required in this Section and (ii) for any applicable penalties and interest for failing to pay the tax when due.

(Source: P.A. 93-24, eff. 6-20-03.)

Section 20-20. The Service Occupation Tax Act is amended by changing Sections 3-5 and 9 as follows:

(35 ILCS 115/3-5) (from Ch. 120, par. 439.103-5)

Sec. 3-5. Exemptions. The following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not

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purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a not-for-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by any not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(4) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(5) Until July 1, 2003 and beginning again on September 1, 2004, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(6) Personal property sold by a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (7). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 3-55.

(8) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(9) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(10) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(11) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(12) Until July 1, 2003, coal exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(13) Food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food that has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article 5 of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act.

(14) Semen used for artificial insemination of livestock for direct agricultural production.

(15) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes.

(16) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act.

(17) Personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act.

(18) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(19) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(20) Beginning July 1, 1999, game or game birds sold at a "game breeding and hunting preserve area" or an "exotic game hunting area" as those terms are used in the Wildlife Code or at a hunting enclosure approved through rules adopted by the Department of Natural Resources. This paragraph is exempt from the provisions of Section 3-55.

(21) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(22) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school

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district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 3-55.

(23) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 3-55.

(24) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. This paragraph is exempt from the provisions of Section 3-55.

(25) Beginning on the effective date of this amendatory Act of the 92nd General Assembly, personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. This paragraph is exempt from the provisions of Section 3-55.

(26) Beginning on January 1, 2002, tangible personal property purchased from an Illinois retailer by a taxpayer engaged in centralized purchasing activities in Illinois who will, upon receipt of the property in Illinois, temporarily store the property in Illinois (i) for the purpose of subsequently transporting it outside this State for use or consumption thereafter solely outside this State or (ii) for the purpose of being processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property to be transported outside this State and thereafter used or consumed solely outside this State. The Director of Revenue shall, pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act, issue a permit to any taxpayer in good standing with the Department who is eligible for the exemption under this paragraph (26). The permit issued under this paragraph (26) shall authorize the holder, to the extent and in the manner specified in the rules adopted under this Act, to purchase tangible personal property from a retailer exempt from the taxes imposed by this Act. Taxpayers shall maintain all necessary books and records to substantiate the use and consumption of all such tangible personal property outside of the State of Illinois.

(Source: P.A. 92-16, eff. 6-28-01; 92-35, eff. 7-1-01; 92-227, eff. 8-2-01; 92-337, eff. 8-10-01; 92-484, eff. 8-23-01; 92-488, eff. 8-23-01; 92-651, eff. 7-11-02; 93-24, eff. 6-20-03.)

(35 ILCS 115/9) (from Ch. 120, par. 439.109)

Sec. 9. Each serviceman required or authorized to collect the tax herein imposed shall pay to the Department the amount of such tax at the time when he is required to file his return for the period during which such tax was collectible, less a discount of 2.1% prior to January 1, 1990, and 1.75% on and after January 1, 1990, or \$5 per calendar year, whichever is greater, which is allowed to reimburse the serviceman for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request.

Where such tangible personal property is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part thereof, is extended beyond the close of the period for which the return is filed, the serviceman, in collecting the tax may collect, for each tax return period, only the tax applicable to the part of the selling price actually received during such tax return period.

Except as provided hereinafter in this Section, on or before the twentieth day of each calendar month, such serviceman shall file a return for the preceding calendar month in accordance with reasonable rules and regulations to be promulgated by the Department of Revenue. Such return shall be filed on a form prescribed by the Department and shall contain such information as the Department may reasonably require.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first

two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in business as a serviceman in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due;
- 5-5. The signature of the taxpayer; and
6. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Prior to October 1, 2003, and on and after September 1, 2004 a serviceman may accept a Manufacturer's Purchase Credit certification from a purchaser in satisfaction of Service Use Tax as provided in Section 3-70 of the Service Use Tax Act if the purchaser provides the appropriate documentation as required by Section 3-70 of the Service Use Tax Act. A Manufacturer's Purchase Credit certification, accepted prior to October 1, 2003 or on or after September 1, 2004 by a serviceman as provided in Section 3-70 of the Service Use Tax Act, may be used by that serviceman to satisfy Service Occupation Tax liability in the amount claimed in the certification, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, 2003 for reporting periods prior to September 1, 2004 shall be disallowed. Manufacturer's Purchase Credit reported on annual returns due on or after January 1, 2005 will be disallowed for periods prior to September 1, 2004. No Manufacturer's Purchase Credit may be used after September 30, 2003 through August 31, 2004 to satisfy any tax liability imposed under this Act, including any audit liability.

If the serviceman's average monthly tax liability to the Department does not exceed \$200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the serviceman's average monthly tax liability to the Department does not exceed \$50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a serviceman may file his return, in the case of any serviceman who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such serviceman shall file a final return under this Act with the Department not more than 1 month after discontinuing such business.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of \$150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of \$100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of \$50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of \$200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic

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funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Where a serviceman collects the tax with respect to the selling price of tangible personal property which he sells and the purchaser thereafter returns such tangible personal property and the serviceman refunds the selling price thereof to the purchaser, such serviceman shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the serviceman may deduct the amount of the tax so refunded by him to the purchaser from any other Service Occupation Tax, Service Use Tax, Retailers' Occupation Tax or Use Tax which such serviceman may be required to pay or remit to the Department, as shown by such return, provided that the amount of the tax to be deducted shall previously have been remitted to the Department by such serviceman. If the serviceman shall not previously have remitted the amount of such tax to the Department, he shall be entitled to no deduction hereunder upon refunding such tax to the purchaser.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable servicemen, who are required to file returns hereunder and also under the Retailers' Occupation Tax Act, the Use Tax Act or the Service Use Tax Act, to furnish all the return information required by all said Acts on the one form.

Where the serviceman has more than one business registered with the Department under separate registrations hereunder, such serviceman shall file separate returns for each registered business.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund the revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund 4% of the revenue realized for the preceding month from the 6.25% general rate.

Beginning August 1, 2000, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the revenue realized for the preceding month from the 6.25% general rate on transfers of tangible personal property.

Beginning August 1, 2000, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the

Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

Fiscal Year	Total Deposit \$0
1993	\$0
1994	53,000,000
1995	58,000,000
1996	61,000,000
1997	64,000,000
1998	68,000,000
1999	71,000,000
2000	75,000,000
2001	80,000,000
2002	93,000,000
2003	99,000,000
2004	103,000,000
2005	108,000,000
2006	113,000,000
2007	119,000,000
2008	126,000,000
2009	132,000,000
2010	139,000,000
2011	146,000,000
2012	153,000,000
2013	161,000,000
2014	170,000,000
2015	179,000,000
2016	189,000,000
2017	199,000,000
2018	210,000,000
2019	221,000,000

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2020	233,000,000
2021	246,000,000
2022	260,000,000
2023 and each fiscal year thereafter that bonds are outstanding under Section 13.2 of the Metropolitan Pier and Exposition Authority Act, but not after fiscal year 2042.	275,000,000

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Community Affairs Law of the Civil Administrative Code of Illinois.

Remaining moneys received by the Department pursuant to this Act shall be paid into the General Revenue Fund of the State Treasury.

The Department may, upon separate written notice to a taxpayer, require the taxpayer to prepare and file with the Department on a form prescribed by the Department within not less than 60 days after receipt of the notice an annual information return for the tax year specified in the notice. Such annual return to the Department shall include a statement of gross receipts as shown by the taxpayer's last Federal income tax return. If the total receipts of the business as reported in the Federal income tax return do not agree with the gross receipts reported to the Department of Revenue for the same period, the taxpayer shall attach to his annual return a schedule showing a reconciliation of the 2 amounts and the reasons for the difference. The taxpayer's annual return to the Department shall also disclose the cost of goods sold by the taxpayer during the year covered by such return, opening and closing inventories of such goods for such year, cost of goods used from stock or taken from stock and given away by the taxpayer during such year, pay roll information of the taxpayer's business during such year and any additional reasonable information which the Department deems would be helpful in determining the accuracy of the monthly, quarterly or annual returns filed by such taxpayer as hereinbefore provided for in this Section.

If the annual information return required by this Section is not filed when and as required, the taxpayer shall be liable as follows:

(i) Until January 1, 1994, the taxpayer shall be liable for a penalty equal to 1/6 of 1% of the tax due from such taxpayer under this Act during the period to be covered by the annual return for each month or fraction of a month until such return is filed as required, the penalty to be assessed and collected in the same manner as any other penalty provided for in this Act.

(ii) On and after January 1, 1994, the taxpayer shall be liable for a penalty as described in Section 3-4 of the Uniform Penalty and Interest Act.

The chief executive officer, proprietor, owner or highest ranking manager shall sign the annual return to certify the accuracy of the information contained therein. Any person who willfully signs the annual return containing false or inaccurate information shall be guilty of perjury and punished

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accordingly. The annual return form prescribed by the Department shall include a warning that the person signing the return may be liable for perjury.

The foregoing portion of this Section concerning the filing of an annual information return shall not apply to a serviceman who is not required to file an income tax return with the United States Government.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, it shall be permissible for manufacturers, importers and wholesalers whose products are sold by numerous servicemen in Illinois, and who wish to do so, to assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the servicemen who are affected do not make written objection to the Department to this arrangement.

(Source: P.A. 92-12, eff. 7-1-01; 92-208, eff. 8-2-01; 92-492, eff. 1-1-02; 92-600, eff. 6-28-02; 92-651, eff. 7-11-02; 93-24, eff. 6-20-03; revised 10-15-03.)

Section 20-25. The Retailers' Occupation Tax Act is amended by changing Sections 2-5 and 3 as follows:

(35 ILCS 120/2-5) (from Ch. 120, par. 441-5)

Sec. 2-5. Exemptions. Gross receipts from proceeds from the sale of the following tangible personal property are exempt from the tax imposed by this Act:

(1) Farm chemicals.

(2) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (2). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed, if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 2-70.

(3) Until July 1, 2003, distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(4) Until July 1, 2003 and beginning again September 1, 2004, graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production. Equipment includes chemicals or chemicals acting as catalysts but only if the chemicals or chemicals acting as catalysts effect a direct and immediate change upon a graphic arts product.

(5) A motor vehicle of the first division, a motor vehicle of the second division that is a

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self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through access to the living quarters from the driver's seat, or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code, that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act.

(6) Personal property sold by a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Until July 1, 2003, proceeds of that portion of the selling price of a passenger car the sale of which is subject to the Replacement Vehicle Tax.

(8) Personal property sold to an Illinois county fair association for use in conducting, operating, or promoting the county fair.

(9) Personal property sold to a not-for-profit arts or cultural organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated primarily for the presentation or support of arts or cultural programming, activities, or services. These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations. On and after the effective date of this amendatory Act of the 92nd General Assembly, however, an entity otherwise eligible for this exemption shall not make tax-free purchases unless it has an active identification number issued by the Department.

(10) Personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(11) Personal property sold to a governmental body, to a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, or to a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active identification number issued by the Department.

(12) Tangible personal property sold to interstate carriers for hire for use as rolling stock moving in interstate commerce or to lessors under leases of one year or longer executed or in effect at the time of purchase by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(12-5) On and after July 1, 2003, motor vehicles of the second division with a gross vehicle weight in excess of 8,000 pounds that are subject to the commercial distribution fee imposed under Section 3-815.1 of the Illinois Vehicle Code. This exemption applies to repair and replacement parts added after the initial purchase of such a motor vehicle if that motor vehicle is used in a manner that would qualify for the rolling stock exemption otherwise provided for in this Act.

(13) Proceeds from sales to owners, lessors, or shippers of tangible personal property that is utilized by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(14) Machinery and equipment that will be used by the purchaser, or a lessee of the purchaser, primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether the sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether the sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser.

(15) Proceeds of mandatory service charges separately stated on customers' bills for purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact

turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(16) Petroleum products sold to a purchaser if the seller is prohibited by federal law from charging tax to the purchaser.

(17) Tangible personal property sold to a common carrier by rail or motor that receives the physical possession of the property in Illinois and that transports the property, or shares with another common carrier in the transportation of the property, out of Illinois on a standard uniform bill of lading showing the seller of the property as the shipper or consignor of the property to a destination outside Illinois, for use outside Illinois.

(18) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(19) Until July 1, 2003, oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(20) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(21) Until July 1, 2003, coal exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(22) Fuel and petroleum products sold to or used by an air carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(23) A transaction in which the purchase order is received by a florist who is located outside Illinois, but who has a florist located in Illinois deliver the property to the purchaser or the purchaser's donee in Illinois.

(24) Fuel consumed or used in the operation of ships, barges, or vessels that are used primarily in or for the transportation of property or the conveyance of persons for hire on rivers bordering on this State if the fuel is delivered by the seller to the purchaser's barge, ship, or vessel while it is afloat upon that bordering river.

(25) A motor vehicle sold in this State to a nonresident even though the motor vehicle is delivered to the nonresident in this State, if the motor vehicle is not to be titled in this State, and if a drive-away permit is issued to the motor vehicle as provided in Section 3-603 of the Illinois Vehicle Code or if the nonresident purchaser has vehicle registration plates to transfer to the motor vehicle upon returning to his or her home state. The issuance of the drive-away permit or having the out-of-state registration plates to be transferred is prima facie evidence that the motor vehicle will not be titled in this State.

(26) Semen used for artificial insemination of livestock for direct agricultural production.

(27) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes.

(28) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

(29) Personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

(30) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution

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that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(31) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(32) Beginning July 1, 1999, game or game birds sold at a "game breeding and hunting preserve area" or an "exotic game hunting area" as those terms are used in the Wildlife Code or at a hunting enclosure approved through rules adopted by the Department of Natural Resources. This paragraph is exempt from the provisions of Section 2-70.

(33) A motor vehicle, as that term is defined in Section 1-146 of the Illinois Vehicle Code, that is donated to a corporation, limited liability company, society, association, foundation, or institution that is determined by the Department to be organized and operated exclusively for educational purposes. For purposes of this exemption, "a corporation, limited liability company, society, association, foundation, or institution organized and operated exclusively for educational purposes" means all tax-supported public schools, private schools that offer systematic instruction in useful branches of learning by methods common to public schools and that compare favorably in their scope and intensity with the course of study presented in tax-supported schools, and vocational or technical schools or institutes organized and operated exclusively to provide a course of study of not less than 6 weeks duration and designed to prepare individuals to follow a trade or to pursue a manual, technical, mechanical, industrial, business, or commercial occupation.

(34) Beginning January 1, 2000, personal property, including food, purchased through fundraising events for the benefit of a public or private elementary or secondary school, a group of those schools, or one or more school districts if the events are sponsored by an entity recognized by the school district that consists primarily of volunteers and includes parents and teachers of the school children. This paragraph does not apply to fundraising events (i) for the benefit of private home instruction or (ii) for which the fundraising entity purchases the personal property sold at the events from another individual or entity that sold the property for the purpose of resale by the fundraising entity and that profits from the sale to the fundraising entity. This paragraph is exempt from the provisions of Section 2-70.

(35) Beginning January 1, 2000 and through December 31, 2001, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. Beginning January 1, 2002 and through June 30, 2003, machines and parts for machines used in commercial, coin-operated amusement and vending business if a use or occupation tax is paid on the gross receipts derived from the use of the commercial, coin-operated amusement and vending machines. This paragraph is exempt from the provisions of Section 2-70.

(35-5) Food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article 5 of the Illinois Public Aid Code who resides in a licensed long-term care facility, as defined in the Nursing Home Care Act.

(36) Beginning August 2, 2001, computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(37) Beginning August 2, 2001, personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of this Act. This paragraph is exempt from the provisions of Section 2-70.

(38) Beginning on January 1, 2002, tangible personal property purchased from an Illinois retailer by a taxpayer engaged in centralized purchasing activities in Illinois who will, upon receipt of the

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property in Illinois, temporarily store the property in Illinois (i) for the purpose of subsequently transporting it outside this State for use or consumption thereafter solely outside this State or (ii) for the purpose of being processed, fabricated, or manufactured into, attached to, or incorporated into other tangible personal property to be transported outside this State and thereafter used or consumed solely outside this State. The Director of Revenue shall, pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act, issue a permit to any taxpayer in good standing with the Department who is eligible for the exemption under this paragraph (38). The permit issued under this paragraph (38) shall authorize the holder, to the extent and in the manner specified in the rules adopted under this Act, to purchase tangible personal property from a retailer exempt from the taxes imposed by this Act. Taxpayers shall maintain all necessary books and records to substantiate the use and consumption of all such tangible personal property outside of the State of Illinois.

(Source: P.A. 92-16, eff. 6-28-01; 92-35, eff. 7-1-01; 92-227, eff. 8-2-01; 92-337, eff. 8-10-01; 92-484, eff. 8-23-01; 92-488, eff. 8-23-01; 92-651, eff. 7-11-02; 92-680, eff. 7-16-02; 93-23, eff. 6-20-03; 93-24, eff. 6-20-03; revised 9-11-03.)

(35 ILCS 120/3) (from Ch. 120, par. 442)

Sec. 3. Except as provided in this Section, on or before the twentieth day of each calendar month, every person engaged in the business of selling tangible personal property at retail in this State during the preceding calendar month shall file a return with the Department, stating:

1. The name of the seller;
2. His residence address and the address of his principal place of business and the address of the principal place of business (if that is a different address) from which he engages in the business of selling tangible personal property at retail in this State;
3. Total amount of receipts received by him during the preceding calendar month or quarter, as the case may be, from sales of tangible personal property, and from services furnished, by him during such preceding calendar month or quarter;
4. Total amount received by him during the preceding calendar month or quarter on charge and time sales of tangible personal property, and from services furnished, by him prior to the month or quarter for which the return is filed;
5. Deductions allowed by law;
6. Gross receipts which were received by him during the preceding calendar month or quarter and upon the basis of which the tax is imposed;
7. The amount of credit provided in Section 2d of this Act;
8. The amount of tax due;
9. The signature of the taxpayer; and
10. Such other reasonable information as the Department may require.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Each return shall be accompanied by the statement of prepaid tax issued pursuant to Section 2e for which credit is claimed.

Prior to October 1, 2003, and on and after September 1, 2004 a retailer may accept a Manufacturer's Purchase Credit certification from a purchaser in satisfaction of Use Tax as provided in Section 3-85 of the Use Tax Act if the purchaser provides the appropriate documentation as required by Section 3-85 of the Use Tax Act. A Manufacturer's Purchase Credit certification, accepted by a retailer prior to October 1, 2003 and on and after September 1, 2004 as provided in Section 3-85 of the Use Tax Act, may be used by that retailer to satisfy Retailers' Occupation Tax liability in the amount claimed in the certification, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, 2003 for reporting periods prior to September 1, 2004 shall be disallowed. Manufacturer's Purchaser Credit reported on annual returns due on or after January 1, 2005 will be disallowed for periods prior to September 1, 2004. No Manufacturer's Purchase Credit may be used after September 30, 2003 through August 31, 2004 to satisfy any tax liability imposed under this Act, including any audit liability.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;

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2. The address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month from sales of tangible personal property by him during such preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due; and
6. Such other reasonable information as the Department may require.

Beginning on October 1, 2003, any person who is not a licensed distributor, importing distributor, or manufacturer, as defined in the Liquor Control Act of 1934, but is engaged in the business of selling, at retail, alcoholic liquor shall file a statement with the Department of Revenue, in a format and at a time prescribed by the Department, showing the total amount paid for alcoholic liquor purchased during the preceding month and such other information as is reasonably required by the Department. The Department may adopt rules to require that this statement be filed in an electronic or telephonic format. Such rules may provide for exceptions from the filing requirements of this paragraph. For the purposes of this paragraph, the term "alcoholic liquor" shall have the meaning prescribed in the Liquor Control Act of 1934.

Beginning on October 1, 2003, every distributor, importing distributor, and manufacturer of alcoholic liquor as defined in the Liquor Control Act of 1934, shall file a statement with the Department of Revenue, no later than the 10th day of the month for the preceding month during which transactions occurred, by electronic means, showing the total amount of gross receipts from the sale of alcoholic liquor sold or distributed during the preceding month to purchasers; identifying the purchaser to whom it was sold or distributed; the purchaser's tax registration number; and such other information reasonably required by the Department. A copy of the monthly statement shall be sent to the retailer no later than the 10th day of the month for the preceding month during which transactions occurred.

If a total amount of less than \$1 is payable, refundable or creditable, such amount shall be disregarded if it is less than 50 cents and shall be increased to \$1 if it is 50 cents or more.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of \$150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of \$100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of \$50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of \$200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Any amount which is required to be shown or reported on any return or other document under this Act shall, if such amount is not a whole-dollar amount, be increased to the nearest whole-dollar amount in any case where the fractional part of a dollar is 50 cents or more, and decreased to the nearest whole-dollar amount where the fractional part of a dollar is less than 50 cents.

If the retailer is otherwise required to file a monthly return and if the retailer's average monthly tax

liability to the Department does not exceed \$200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the retailer is otherwise required to file a monthly or quarterly return and if the retailer's average monthly tax liability with the Department does not exceed \$50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a retailer may file his return, in the case of any retailer who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such retailer shall file a final return under this Act with the Department not more than one month after discontinuing such business.

Where the same person has more than one business registered with the Department under separate registrations under this Act, such person may not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, every retailer selling this kind of tangible personal property shall file, with the Department, upon a form to be prescribed and supplied by the Department, a separate return for each such item of tangible personal property which the retailer sells, except that if, in the same transaction, (i) a retailer of aircraft, watercraft, motor vehicles or trailers transfers more than one aircraft, watercraft, motor vehicle or trailer to another aircraft, watercraft, motor vehicle retailer or trailer retailer for the purpose of resale or (ii) a retailer of aircraft, watercraft, motor vehicles, or trailers transfers more than one aircraft, watercraft, motor vehicle, or trailer to a purchaser for use as a qualifying rolling stock as provided in Section 2-5 of this Act, then that seller may report the transfer of all aircraft, watercraft, motor vehicles or trailers involved in that transaction to the Department on the same uniform invoice-transaction reporting return form. For purposes of this Section, "watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

Any retailer who sells only motor vehicles, watercraft, aircraft, or trailers that are required to be registered with an agency of this State, so that all retailers' occupation tax liability is required to be reported, and is reported, on such transaction reporting returns and who is not otherwise required to file monthly or quarterly returns, need not file monthly or quarterly returns. However, those retailers shall be required to file returns on an annual basis.

The transaction reporting return, in the case of motor vehicles or trailers that are required to be registered with an agency of this State, shall be the same document as the Uniform Invoice referred to in Section 5-402 of The Illinois Vehicle Code and must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 1 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale; a sufficient identification of the property sold; such other information as is required in Section 5-402 of The Illinois Vehicle Code, and such other information as the Department may reasonably require.

The transaction reporting return in the case of watercraft or aircraft must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 1 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale, a sufficient identification of the property sold, and such other information as the Department may reasonably require.

Such transaction reporting return shall be filed not later than 20 days after the day of delivery of the item that is being sold, but may be filed by the retailer at any time sooner than that if he chooses to do so. The transaction reporting return and tax remittance or proof of exemption from the Illinois use tax may be transmitted to the Department by way of the State agency with which, or State officer with whom the tangible personal property must be titled or registered (if titling or registration is required) if the Department and such agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

With each such transaction reporting return, the retailer shall remit the proper amount of tax due (or shall submit satisfactory evidence that the sale is not taxable if that is the case), to the Department or its agents, whereupon the Department shall issue, in the purchaser's name, a use tax receipt (or a certificate of exemption if the Department is satisfied that the particular sale is tax exempt) which such purchaser may submit to the agency with which, or State officer with whom, he must title or register the tangible personal property that is involved (if titling or registration is required) in support of such purchaser's application for an Illinois certificate or other evidence of title or registration to such tangible personal property.

No retailer's failure or refusal to remit tax under this Act precludes a user, who has paid the proper tax to the retailer, from obtaining his certificate of title or other evidence of title or registration (if titling or registration is required) upon satisfying the Department that such user has paid the proper tax (if tax is due) to the retailer. The Department shall adopt appropriate rules to carry out the mandate of this paragraph.

If the user who would otherwise pay tax to the retailer wants the transaction reporting return filed and the payment of the tax or proof of exemption made to the Department before the retailer is willing to take these actions and such user has not paid the tax to the retailer, such user may certify to the fact of such delay by the retailer and may (upon the Department being satisfied of the truth of such certification) transmit the information required by the transaction reporting return and the remittance for tax or proof of exemption directly to the Department and obtain his tax receipt or exemption determination, in which event the transaction reporting return and tax remittance (if a tax payment was required) shall be credited by the Department to the proper retailer's account with the Department, but without the 2.1% or 1.75% discount provided for in this Section being allowed. When the user pays the tax directly to the Department, he shall pay the tax in the same amount and in the same form in which it would be remitted if the tax had been remitted to the Department by the retailer.

Refunds made by the seller during the preceding return period to purchasers, on account of tangible personal property returned to the seller, shall be allowed as a deduction under subdivision 5 of his monthly or quarterly return, as the case may be, in case the seller had theretofore included the receipts from the sale of such tangible personal property in a return filed by him and had paid the tax imposed by this Act with respect to such receipts.

Where the seller is a corporation, the return filed on behalf of such corporation shall be signed by the president, vice-president, secretary or treasurer or by the properly accredited agent of such corporation.

Where the seller is a limited liability company, the return filed on behalf of the limited liability company shall be signed by a manager, member, or properly accredited agent of the limited liability company.

Except as provided in this Section, the retailer filing the return under this Section shall, at the time of filing such return, pay to the Department the amount of tax imposed by this Act less a discount of 2.1% prior to January 1, 1990 and 1.75% on and after January 1, 1990, or \$5 per calendar year, whichever is greater, which is allowed to reimburse the retailer for the expenses incurred in keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. Any prepayment made pursuant to Section 2d of this Act shall be included in the amount on which such 2.1% or 1.75% discount is computed. In the case of retailers who report and pay the tax on a transaction by transaction basis, as provided in this Section, such discount shall be taken with each such tax remittance instead of when such retailer files his periodic return.

Before October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act, excluding any liability for prepaid sales tax to be remitted in accordance with Section 2d of this Act, was \$10,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. On and after October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Use Tax Act, the Service

Occupation Tax Act, and the Service Use Tax Act, excluding any liability for prepaid sales tax to be remitted in accordance with Section 2d of this Act, was \$20,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payment to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to January 1, 1985, each payment shall be in an amount equal to 1/4 of the taxpayer's actual liability for the month or an amount set by the Department not to exceed 1/4 of the average monthly liability of the taxpayer to the Department for the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability in such 4 quarter period). If the month during which such tax liability is incurred begins on or after January 1, 1985 and prior to January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1987 and prior to January 1, 1988, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1988, and prior to January 1, 1989, or begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1989, and prior to January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year or 100% of the taxpayer's actual liability for the quarter monthly reporting period. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month. Before October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department by taxpayers having an average monthly tax liability of \$10,000 or more as determined in the manner provided above shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than \$9,000, or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than \$10,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the \$10,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. On and after October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department by taxpayers having an average monthly tax liability of \$20,000 or more as determined in the manner provided above shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than \$19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than \$20,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the \$20,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. The Department shall change such taxpayer's reporting status unless it finds that such change is seasonal in nature and not likely to be long term. If any such quarter monthly payment is not paid at the time or in the amount required by this Section, then the taxpayer shall be liable for penalties and interest on the difference between the minimum amount due as a payment and the amount of such quarter monthly payment actually and timely paid, except insofar as the taxpayer has previously made payments for that month to the Department in excess of the minimum payments previously due as provided in this Section. The Department shall make reasonable rules and regulations to govern the quarter monthly payment amount and quarter monthly payment dates for taxpayers who file on other than a calendar monthly basis.

The provisions of this paragraph apply before October 1, 2001. Without regard to whether a taxpayer is required to make quarter monthly payments as specified above, any taxpayer who is required by Section 2d of this Act to collect and remit prepaid taxes and has collected prepaid taxes which average in excess of \$25,000 per month during the preceding 2 complete calendar quarters, shall file a return with the Department as required by Section 2f and shall make payments to the

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Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to the effective date of this amendatory Act of 1985, each payment shall be in an amount not less than 22.5% of the taxpayer's actual liability under Section 2d. If the month during which such tax liability is incurred begins on or after January 1, 1986, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding calendar year. If the month during which such tax liability is incurred begins on or after January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month filed under this Section or Section 2f, as the case may be. Once applicable, the requirement of the making of quarter monthly payments to the Department pursuant to this paragraph shall continue until such taxpayer's average monthly prepaid tax collections during the preceding 2 complete calendar quarters is \$25,000 or less. If any such quarter monthly payment is not paid at the time or in the amount required, the taxpayer shall be liable for penalties and interest on such difference, except insofar as the taxpayer has previously made payments for that month in excess of the minimum payments previously due.

The provisions of this paragraph apply on and after October 1, 2001. Without regard to whether a taxpayer is required to make quarter monthly payments as specified above, any taxpayer who is required by Section 2d of this Act to collect and remit prepaid taxes and has collected prepaid taxes that average in excess of \$20,000 per month during the preceding 4 complete calendar quarters shall file a return with the Department as required by Section 2f and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which the liability is incurred. Each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. The amount of the quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month filed under this Section or Section 2f, as the case may be. Once applicable, the requirement of the making of quarter monthly payments to the Department pursuant to this paragraph shall continue until the taxpayer's average monthly prepaid tax collections during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than \$19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarters is less than \$20,000. If any such quarter monthly payment is not paid at the time or in the amount required, the taxpayer shall be liable for penalties and interest on such difference, except insofar as the taxpayer has previously made payments for that month in excess of the minimum payments previously due.

If any payment provided for in this Section exceeds the taxpayer's liabilities under this Act, the Use Tax Act, the Service Occupation Tax Act and the Service Use Tax Act, as shown on an original monthly return, the Department shall, if requested by the taxpayer, issue to the taxpayer a credit memorandum no later than 30 days after the date of payment. The credit evidenced by such credit memorandum may be assigned by the taxpayer to a similar taxpayer under this Act, the Use Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations to be prescribed by the Department. If no such request is made, the taxpayer may credit such excess payment against tax liability subsequently to be remitted to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations prescribed by the Department. If the Department subsequently determined that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's 2.1% and 1.75% vendor's discount shall be reduced by 2.1% or 1.75% of the difference between the credit taken and that actually due, and that taxpayer shall be liable for penalties and interest on such difference.

If a retailer of motor fuel is entitled to a credit under Section 2d of this Act which exceeds the taxpayer's liability to the Department under this Act for the month which the taxpayer is filing a return, the Department shall issue the taxpayer a credit memorandum for the excess.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund, a special fund in the State treasury which is hereby created, the net revenue realized for the preceding month from the 1% tax on sales of food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food which has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund, a special fund in the State treasury which is hereby created, 4% of the net revenue realized for the preceding month from the 6.25% general rate.

Beginning August 1, 2000, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Beginning August 1, 2000, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to this Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as hereinafter defined), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; the "Annual Specified Amount" means the amounts specified below for fiscal years 1986 through 1993:

Fiscal Year	Annual Specified Amount
1986	\$54,800,000
1987	\$76,650,000
1988	\$80,480,000
1989	\$88,510,000
1990	\$115,330,000
1991	\$145,470,000
1992	\$182,730,000
1993	\$206,520,000;

and means the Certified Annual Debt Service Requirement (as defined in Section 13 of the Build Illinois Bond Act) or the Tax Act Amount, whichever is greater, for fiscal year 1994 and each fiscal year thereafter; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year. The amounts payable into the Build Illinois Fund under clause (b) of the first sentence in this paragraph shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal

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year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the first sentence of this paragraph and shall reduce the amount otherwise payable for such fiscal year pursuant to that clause (b). The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

Fiscal Year	Total Deposit
1993	\$0
1994	53,000,000
1995	58,000,000
1996	61,000,000
1997	64,000,000
1998	68,000,000
1999	71,000,000
2000	75,000,000
2001	80,000,000
2002	93,000,000
2003	99,000,000
2004	103,000,000
2005	108,000,000
2006	113,000,000
2007	119,000,000
2008	126,000,000
2009	132,000,000
2010	139,000,000
2011	146,000,000
2012	153,000,000
2013	161,000,000
2014	170,000,000
2015	179,000,000
2016	189,000,000
2017	199,000,000
2018	210,000,000
2019	221,000,000
2020	233,000,000
2021	246,000,000
2022	260,000,000
2023 and each fiscal year thereafter that bonds are outstanding under Section 13.2 of the Metropolitan Pier and Exposition Authority Act, but not after fiscal year 2042.	275,000,000

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as

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"Total Deposit", has been deposited.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Community Affairs Law of the Civil Administrative Code of Illinois.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

The Department may, upon separate written notice to a taxpayer, require the taxpayer to prepare and file with the Department on a form prescribed by the Department within not less than 60 days after receipt of the notice an annual information return for the tax year specified in the notice. Such annual return to the Department shall include a statement of gross receipts as shown by the retailer's last Federal income tax return. If the total receipts of the business as reported in the Federal income tax return do not agree with the gross receipts reported to the Department of Revenue for the same period, the retailer shall attach to his annual return a schedule showing a reconciliation of the 2 amounts and the reasons for the difference. The retailer's annual return to the Department shall also disclose the cost of goods sold by the retailer during the year covered by such return, opening and closing inventories of such goods for such year, costs of goods used from stock or taken from stock and given away by the retailer during such year, payroll information of the retailer's business during such year and any additional reasonable information which the Department deems would be helpful in determining the accuracy of the monthly, quarterly or annual returns filed by such retailer as provided for in this Section.

If the annual information return required by this Section is not filed when and as required, the taxpayer shall be liable as follows:

(i) Until January 1, 1994, the taxpayer shall be liable for a penalty equal to 1/6 of

1% of the tax due from such taxpayer under this Act during the period to be covered by the annual return for each month or fraction of a month until such return is filed as required, the penalty to be assessed and collected in the same manner as any other penalty provided for in this Act.

(ii) On and after January 1, 1994, the taxpayer shall be liable for a penalty as described in Section 3-4 of the Uniform Penalty and Interest Act.

The chief executive officer, proprietor, owner or highest ranking manager shall sign the annual return to certify the accuracy of the information contained therein. Any person who willfully signs the annual return containing false or inaccurate information shall be guilty of perjury and punished accordingly. The annual return form prescribed by the Department shall include a warning that the person signing the return may be liable for perjury.

The provisions of this Section concerning the filing of an annual information return do not apply to a retailer who is not required to file an income tax return with the United States Government.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, manufacturers, importers and wholesalers whose products are sold at retail in Illinois by numerous retailers, and who wish to do so, may assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the retailers who are affected do not make written objection to the Department to this arrangement.

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Any person who promotes, organizes, provides retail selling space for concessionaires or other types of sellers at the Illinois State Fair, DuQuoin State Fair, county fairs, local fairs, art shows, flea markets and similar exhibitions or events, including any transient merchant as defined by Section 2 of the Transient Merchant Act of 1987, is required to file a report with the Department providing the name of the merchant's business, the name of the person or persons engaged in merchant's business, the permanent address and Illinois Retailers Occupation Tax Registration Number of the merchant, the dates and location of the event and other reasonable information that the Department may require. The report must be filed not later than the 20th day of the month next following the month during which the event with retail sales was held. Any person who fails to file a report required by this Section commits a business offense and is subject to a fine not to exceed \$250.

Any person engaged in the business of selling tangible personal property at retail as a concessionaire or other type of seller at the Illinois State Fair, county fairs, art shows, flea markets and similar exhibitions or events, or any transient merchants, as defined by Section 2 of the Transient Merchant Act of 1987, may be required to make a daily report of the amount of such sales to the Department and to make a daily payment of the full amount of tax due. The Department shall impose this requirement when it finds that there is a significant risk of loss of revenue to the State at such an exhibition or event. Such a finding shall be based on evidence that a substantial number of concessionaires or other sellers who are not residents of Illinois will be engaging in the business of selling tangible personal property at retail at the exhibition or event, or other evidence of a significant risk of loss of revenue to the State. The Department shall notify concessionaires and other sellers affected by the imposition of this requirement. In the absence of notification by the Department, the concessionaires and other sellers shall file their returns as otherwise required in this Section.

(Source: P.A. 92-12, eff. 7-1-01; 92-16, eff. 6-28-01; 92-208, eff. 8-2-01; 92-484, eff. 8-23-01; 92-492, eff. 1-1-02; 92-600, eff. 6-28-02; 92-651, eff. 7-11-02; 93-22, eff. 6-20-03; 93-24, eff. 6-20-03; revised 10-15-03.)

ARTICLE 25

Section 25-5. The Illinois Income Tax Act is amended by changing Sections 203, 205, 305, and 1501 as follows:

(35 ILCS 5/203) (from Ch. 120, par. 2-203)

Sec. 203. Base income defined.

(a) Individuals.

(1) In general. In the case of an individual, base income means an amount equal to the taxpayer's adjusted gross income for the taxable year as modified by paragraph (2).

(2) Modifications. The adjusted gross income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or dividends during the taxable year to the extent excluded from gross income in the computation of adjusted gross income, except stock dividends of qualified public utilities described in Section 305(e) of the Internal Revenue Code;

(B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of adjusted gross income for the taxable year;

(C) An amount equal to the amount received during the taxable year as a recovery or refund of real property taxes paid with respect to the taxpayer's principal residence under the Revenue Act of 1939 and for which a deduction was previously taken under subparagraph (L) of this paragraph (2) prior to July 1, 1991, the retrospective application date of Article 4 of Public Act 87-17. In the case of multi-unit or multi-use structures and farm dwellings, the taxes on the taxpayer's principal residence shall be that portion of the total taxes for the entire property which is attributable to such principal residence;

(D) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of adjusted gross income;

(D-5) An amount, to the extent not included in adjusted gross income, equal to the amount of money withdrawn by the taxpayer in the taxable year from a medical care savings account and the interest earned on the account in the taxable year of a withdrawal pursuant to subsection (b) of Section 20 of the Medical Care Savings Account Act or subsection (b) of Section 20 of the Medical Care Savings Account Act of 2000;

(D-10) For taxable years ending after December 31, 1997, an amount equal to any

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eligible remediation costs that the individual deducted in computing adjusted gross income and for which the individual claims a credit under subsection (l) of Section 201;

(D-15) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code; ~~and~~

(D-16) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-15), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (Z) with respect to that property; ~~;~~

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property; ~~and~~

(D-17) For taxable years ending on or after December 31, 2004, an amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that foreign person's business activity outside the United States is 80% or more of the foreign person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income under Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

(b) the transaction giving rise to the interest expense between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arms-length interest rate and terms; or

(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer establishes by clear and convincing evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act:

(D-18) For taxable years ending on or after December 31, 2004, an amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income under Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence does not apply to the extent that the same dividends caused a reduction to the addition

modification required under Section 203(a)(2)(D-17) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes (1) expenses, losses, and costs for, or related to, the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets.

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arms length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act:

(D-20) (~~D-15~~) For taxable years beginning on or after January 1, 2002, in the case of a distribution from a qualified tuition program under Section 529 of the Internal Revenue Code, other than (i) a distribution from a College Savings Pool created under Section 16.5 of the State Treasurer Act or (ii) a distribution from the Illinois Prepaid Tuition Trust Fund, an amount equal to the amount excluded from gross income under Section 529(c)(3)(B);
and by deducting from the total so obtained the sum of the following amounts:

(E) For taxable years ending before December 31, 2001, any amount included in such total in respect of any compensation (including but not limited to any compensation paid or accrued to a serviceman while a prisoner of war or missing in action) paid to a resident by reason of being on active duty in the Armed Forces of the United States and in respect of any compensation paid or accrued to a resident who as a governmental employee was a prisoner of war or missing in action, and in respect of any compensation paid to a resident in 1971 or thereafter for annual training performed pursuant to Sections 502 and 503, Title 32, United States Code as a member of the Illinois National Guard. For taxable years ending on or after December 31, 2001, any amount included in such total in respect of any compensation (including but not limited to any compensation paid or accrued to a serviceman while a prisoner of war or missing in action) paid to a resident by reason of being a member of any component of the Armed Forces of the United States and in respect of any compensation paid or accrued to a resident who as a governmental employee was a prisoner of war or missing in action, and in respect of any compensation paid to a resident in 2001 or thereafter by reason of being a member of the Illinois National Guard. The provisions of this amendatory Act of the 92nd General Assembly are exempt from the provisions of Section 250;

(F) An amount equal to all amounts included in such total pursuant to the provisions of Sections 402(a), 402(c), 403(a), 403(b), 406(a), 407(a), and 408 of the Internal Revenue Code, or included in such total as distributions under the provisions of any retirement or disability plan for employees of any governmental agency or unit, or retirement payments to retired partners, which payments are excluded in computing net earnings from self employment by Section 1402 of the Internal Revenue Code and regulations adopted pursuant thereto;

(G) The valuation limitation amount;

(H) An amount equal to the amount of any tax imposed by this Act which was refunded

to the taxpayer and included in such total for the taxable year;

(I) An amount equal to all amounts included in such total pursuant to the provisions of Section 111 of the Internal Revenue Code as a recovery of items previously deducted from adjusted gross income in the computation of taxable income;

(J) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act, and conducts substantially all of its operations in an Enterprise Zone or zones;

(K) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (J) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (K);

(L) For taxable years ending after December 31, 1983, an amount equal to all social security benefits and railroad retirement benefits included in such total pursuant to Sections 72(r) and 86 of the Internal Revenue Code;

(M) With the exception of any amounts subtracted under subparagraph (N), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a)(2), and 265(2) of the Internal Revenue Code of 1954, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code of 1954, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(N) An amount equal to all amounts included in such total which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(O) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(P) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(Q) An amount equal to any amounts included in such total, received by the taxpayer as an acceleration in the payment of life, endowment or annuity benefits in advance of the time they would otherwise be payable as an indemnity for a terminal illness;

(R) An amount equal to the amount of any federal or State bonus paid to veterans of the Persian Gulf War;

(S) An amount, to the extent included in adjusted gross income, equal to the amount of a contribution made in the taxable year on behalf of the taxpayer to a medical care savings account established under the Medical Care Savings Account Act or the Medical Care Savings Account Act of 2000 to the extent the contribution is accepted by the account administrator as provided in that Act;

(T) An amount, to the extent included in adjusted gross income, equal to the amount of interest earned in the taxable year on a medical care savings account established under the Medical Care Savings Account Act or the Medical Care Savings Account Act of 2000 on behalf of the taxpayer, other than interest added pursuant to item (D-5) of this paragraph (2);

(U) For one taxable year beginning on or after January 1, 1994, an amount equal to the total amount of tax imposed and paid under subsections (a) and (b) of Section 201 of this Act on grant amounts received by the taxpayer under the Nursing Home Grant Assistance Act during the taxpayer's taxable years 1992 and 1993;

(V) Beginning with tax years ending on or after December 31, 1995 and ending with tax years ending on or before December 31, 2004, an amount equal to the amount paid by a taxpayer who is a self-employed taxpayer, a partner of a partnership, or a shareholder in a Subchapter S corporation for health insurance or long-term care insurance for that taxpayer or that taxpayer's spouse or dependents, to the extent that the amount paid for that health insurance or long-term care insurance may be deducted under Section 213 of the Internal Revenue Code of 1986, has not been deducted on the federal income tax return of the taxpayer, and does not exceed the taxable income attributable to that taxpayer's income, self-employment income, or

Subchapter S corporation income; except that no deduction shall be allowed under this item (V) if the taxpayer is eligible to participate in any health insurance or long-term care insurance plan of an employer of the taxpayer or the taxpayer's spouse. The amount of the health insurance and long-term care insurance subtracted under this item (V) shall be determined by multiplying total health insurance and long-term care insurance premiums paid by the taxpayer times a number that represents the fractional percentage of eligible medical expenses under Section 213 of the Internal Revenue Code of 1986 not actually deducted on the taxpayer's federal income tax return;

(W) For taxable years beginning on or after January 1, 1998, all amounts included in the taxpayer's federal gross income in the taxable year from amounts converted from a regular IRA to a Roth IRA. This paragraph is exempt from the provisions of Section 250;

(X) For taxable year 1999 and thereafter, an amount equal to the amount of any (i) distributions, to the extent includible in gross income for federal income tax purposes, made to the taxpayer because of his or her status as a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim and (ii) items of income, to the extent includible in gross income for federal income tax purposes, attributable to, derived from or in any way related to assets stolen from, hidden from, or otherwise lost to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime immediately prior to, during, and immediately after World War II, including, but not limited to, interest on the proceeds receivable as insurance under policies issued to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime by European insurance companies immediately prior to and during World War II; provided, however, this subtraction from federal adjusted gross income does not apply to assets acquired with such assets or with the proceeds from the sale of such assets; provided, further, this paragraph shall only apply to a taxpayer who was the first recipient of such assets after their recovery and who is a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim. The amount of and the eligibility for any public assistance, benefit, or similar entitlement is not affected by the inclusion of items (i) and (ii) of this paragraph in gross income for federal income tax purposes. This paragraph is exempt from the provisions of Section 250;

(Y) For taxable years beginning on or after January 1, 2002, moneys contributed in the taxable year to a College Savings Pool account under Section 16.5 of the State Treasurer Act, except that amounts excluded from gross income under Section 529(c)(3)(C)(i) of the Internal Revenue Code shall not be considered moneys contributed under this subparagraph (Y). This subparagraph (Y) is exempt from the provisions of Section 250;

(Z) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code; ~~and~~

(AA) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-15), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property; ~~and~~

~~(BB) (Z)~~ Any amount included in adjusted gross income, other than salary, received by a driver in a ridesharing arrangement using a motor vehicle; -

(CC) The amount of (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17).

203(b)(2)(E-13), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of that addition modification, and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-14), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of that addition modification;

(DD) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(a)(2)(D-17) for interest paid, accrued, or incurred, directly or indirectly, to the same foreign person; and

(EE) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(a)(2)(D-18) for intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same foreign person.

(b) Corporations.

(1) In general. In the case of a corporation, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. The taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest and all distributions received from regulated investment companies during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of taxable income for the taxable year;

(C) In the case of a regulated investment company, an amount equal to the excess of (i) the net long-term capital gain for the taxable year, over (ii) the amount of the capital gain dividends designated as such in accordance with Section 852(b)(3)(C) of the Internal Revenue Code and any amount designated under Section 852(b)(3)(D) of the Internal Revenue Code, attributable to the taxable year (this amendatory Act of 1995 (Public Act 89-89) is declarative of existing law and is not a new enactment);

(D) The amount of any net operating loss deduction taken in arriving at taxable income, other than a net operating loss carried forward from a taxable year ending prior to December 31, 1986;

(E) For taxable years in which a net operating loss carryback or carryforward from a taxable year ending prior to December 31, 1986 is an element of taxable income under paragraph (1) of subsection (e) or subparagraph (E) of paragraph (2) of subsection (e), the amount by which addition modifications other than those provided by this subparagraph (E) exceeded subtraction modifications in such earlier taxable year, with the following limitations applied in the order that they are listed:

(i) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall be reduced by the amount of addition modification under this subparagraph (E) which related to that net operating loss and which was taken into account in calculating the base income of an earlier taxable year, and

(ii) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall not exceed the amount of such carryback or carryforward;

For taxable years in which there is a net operating loss carryback or carryforward from more than one other taxable year ending prior to December 31, 1986, the addition modification provided in this subparagraph (E) shall be the sum of the amounts computed independently under the preceding provisions of this subparagraph (E) for each such taxable year;

(E-5) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the corporation deducted in computing adjusted gross income and for which the corporation claims a credit under subsection (l) of Section 201;

(E-10) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code; and

(E-11) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (E-10), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (T) with respect to that property;

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

(E-12) For taxable years ending on or after December 31, 2004, an amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact the foreign person's business activity outside the United States is 80% or more of the foreign person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

(b) the transaction giving rise to the interest expense between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arms-length interest rate and terms; or

(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer establishes by clear and convincing evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act:

(E-13) For taxable years ending on or after December 31, 2004, an amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence shall not apply to the extent that the same dividends caused a reduction to the addition

modification required under Section 203(b)(2)(E-12) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes (1) expenses, losses, and costs for, or related to, the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets.

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arms length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

and by deducting from the total so obtained the sum of the following amounts:

(F) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(G) An amount equal to any amount included in such total under Section 78 of the Internal Revenue Code;

(H) In the case of a regulated investment company, an amount equal to the amount of exempt interest dividends as defined in subsection (b) (5) of Section 852 of the Internal Revenue Code, paid to shareholders for the taxable year;

(I) With the exception of any amounts subtracted under subparagraph (J), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a) (2), and 265(a)(2) and amounts disallowed as interest expense by Section 291(a)(3) of the Internal Revenue Code, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(a)(1) of the Internal Revenue Code, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, 291(a)(3), and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(J) An amount equal to all amounts included in such total which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(K) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act and conducts substantially all of its operations in an Enterprise Zone or zones;

(L) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (K) of paragraph 2 of this subsection shall not be eligible for the deduction provided under this subparagraph (L);

(M) For any taxpayer that is a financial organization within the meaning of Section 304(c) of this Act, an amount included in such total as interest income from a loan or loans made by such taxpayer to a borrower, to the extent that such a loan is secured by property which is eligible for the Enterprise Zone Investment Credit. To determine the portion of a loan or loans that is secured by property eligible for a Section 201(f) investment credit to the borrower, the entire principal amount of the loan or loans between the taxpayer and the borrower should be divided into the basis of the Section 201(f) investment credit property which secures the loan or loans, using for this purpose the original basis of such property on the date that it was placed in service in the Enterprise Zone. The subtraction modification available to taxpayer in any year under this subsection shall be that portion of the total interest paid by the borrower with respect to such loan attributable to the eligible property as calculated under the previous sentence;

(M-1) For any taxpayer that is a financial organization within the meaning of Section 304(c) of this Act, an amount included in such total as interest income from a loan or loans made by such taxpayer to a borrower, to the extent that such a loan is secured by property which is eligible for the High Impact Business Investment Credit. To determine the portion of a loan or loans that is secured by property eligible for a Section 201(h) investment credit to the borrower, the entire principal amount of the loan or loans between the taxpayer and the borrower should be divided into the basis of the Section 201(h) investment credit property which secures the loan or loans, using for this purpose the original basis of such property on the date that it was placed in service in a federally designated Foreign Trade Zone or Sub-Zone located in Illinois. No taxpayer that is eligible for the deduction provided in subparagraph (M) of paragraph (2) of this subsection shall be eligible for the deduction provided under this subparagraph (M-1). The subtraction modification available to taxpayers in any year under this subsection shall be that portion of the total interest paid by the borrower with respect to such loan attributable to the eligible property as calculated under the previous sentence;

(N) Two times any contribution made during the taxable year to a designated zone organization to the extent that the contribution (i) qualifies as a charitable contribution under subsection (c) of Section 170 of the Internal Revenue Code and (ii) must, by its terms, be used for a project approved by the Department of Commerce and Economic Opportunity Community Affairs under Section 11 of the Illinois Enterprise Zone Act;

(O) An amount equal to: (i) 85% for taxable years ending on or before December 31, 1992, or, a percentage equal to the percentage allowable under Section 243(a)(1) of the Internal Revenue Code of 1986 for taxable years ending after December 31, 1992, of the amount by which dividends included in taxable income and received from a corporation that is not created or organized under the laws of the United States or any state or political subdivision thereof, including, for taxable years ending on or after December 31, 1988, dividends received or deemed received or paid or deemed paid under Sections 951 through 964 of the Internal Revenue Code, exceed the amount of the modification provided under subparagraph (G) of paragraph (2) of this subsection (b) which is related to such dividends; plus (ii) 100% of the amount by which dividends, included in taxable income and received, including, for taxable years ending on or after December 31, 1988, dividends received or deemed received or paid or deemed paid under Sections 951 through 964 of the Internal Revenue Code, from any such corporation specified in clause (i) that would but for the provisions of Section 1504 (b) (3) of the Internal Revenue Code be treated as a member of the affiliated group which includes the dividend recipient, exceed the amount of the modification provided under subparagraph (G) of paragraph (2) of this subsection (b) which is related to such dividends;

(P) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(Q) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(R) In the case of an attorney-in-fact with respect to whom an interinsurer or a reciprocal insurer has made the election under Section 835 of the Internal Revenue Code, 26 U.S.C. 835, an amount equal to the excess, if any, of the amounts paid or incurred by that interinsurer or reciprocal insurer in the taxable year to the attorney-in-fact over the deduction allowed to that interinsurer or reciprocal insurer with respect to the attorney-in-fact under Section 835(b) of the Internal Revenue Code for the taxable year;

(S) For taxable years ending on or after December 31, 1997, in the case of a Subchapter S corporation, an amount equal to all amounts of income allocable to a shareholder

subject to the Personal Property Tax Replacement Income Tax imposed by subsections (c) and (d) of Section 201 of this Act, including amounts allocable to organizations exempt from federal income tax by reason of Section 501(a) of the Internal Revenue Code. This subparagraph (S) is exempt from the provisions of Section 250;

(T) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code; ~~and~~

(U) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (E-10), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property; -

(V) The amount of: (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-12), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of such addition modification and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-13), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of such addition modification;

(W) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(b)(2)(E-12) for interest paid, accrued, or incurred, directly or indirectly, to the same foreign person; and

(X) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(b)(2)(E-13) for intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same foreign person.

(3) Special rule. For purposes of paragraph (2) (A), "gross income" in the case of a life insurance company, for tax years ending on and after December 31, 1994, shall mean the gross investment income for the taxable year.

(c) Trusts and estates.

(1) In general. In the case of a trust or estate, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. Subject to the provisions of paragraph (3), the taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or

dividends during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) In the case of (i) an estate, \$600; (ii) a trust which, under its governing instrument, is required to distribute all of its income currently, \$300; and (iii) any other trust, \$100, but in each such case, only to the extent such amount was deducted in the computation of taxable income;

(C) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income in the computation of taxable income for the taxable year;

(D) The amount of any net operating loss deduction taken in arriving at taxable income, other than a net operating loss carried forward from a taxable year ending prior to December 31, 1986;

(E) For taxable years in which a net operating loss carryback or carryforward from a taxable year ending prior to December 31, 1986 is an element of taxable income under paragraph (1) of subsection (e) or subparagraph (E) of paragraph (2) of subsection (e), the amount by which addition modifications other than those provided by this subparagraph (E) exceeded subtraction modifications in such taxable year, with the following limitations applied in the order that they are listed:

(i) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall be reduced by the amount of addition modification under this subparagraph (E) which related to that net operating loss and which was taken into account in calculating the base income of an earlier taxable year, and

(ii) the addition modification relating to the net operating loss carried back or forward to the taxable year from any taxable year ending prior to December 31, 1986 shall not exceed the amount of such carryback or carryforward;

For taxable years in which there is a net operating loss carryback or carryforward from more than one other taxable year ending prior to December 31, 1986, the addition modification provided in this subparagraph (E) shall be the sum of the amounts computed independently under the preceding provisions of this subparagraph (E) for each such taxable year;

(F) For taxable years ending on or after January 1, 1989, an amount equal to the tax deducted pursuant to Section 164 of the Internal Revenue Code if the trust or estate is claiming the same tax for purposes of the Illinois foreign tax credit under Section 601 of this Act;

(G) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of taxable income;

(G-5) For taxable years ending after December 31, 1997, an amount equal to any eligible remediation costs that the trust or estate deducted in computing adjusted gross income and for which the trust or estate claims a credit under subsection (l) of Section 201;

(G-10) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code; and

(G-11) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (G-10), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (R) with respect to that property;

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

(G-12) For taxable years ending on or after December 31, 2004, an amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of the foreign person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal

Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

(b) the transaction giving rise to the interest expense between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arms-length interest rate and terms; or

(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer establishes by clear and convincing evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

(G-13) For taxable years ending on or after December 31, 2004, an amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred, or accrued. The preceding sentence shall not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(c)(2)(G-12) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes: (1) expenses, losses, and costs for or related to the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets.

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arms length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person if the taxpayer establishes by clear and convincing

evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

and by deducting from the total so obtained the sum of the following amounts:

(H) An amount equal to all amounts included in such total pursuant to the provisions of Sections 402(a), 402(c), 403(a), 403(b), 406(a), 407(a) and 408 of the Internal Revenue Code or included in such total as distributions under the provisions of any retirement or disability plan for employees of any governmental agency or unit, or retirement payments to retired partners, which payments are excluded in computing net earnings from self employment by Section 1402 of the Internal Revenue Code and regulations adopted pursuant thereto;

(I) The valuation limitation amount;

(J) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(K) An amount equal to all amounts included in taxable income as modified by subparagraphs (A), (B), (C), (D), (E), (F) and (G) which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(L) With the exception of any amounts subtracted under subparagraph (K), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a)(2) and 265(a)(2) of the Internal Revenue Code, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code of 1954, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions of this subparagraph are exempt from the provisions of Section 250;

(M) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act and conducts substantially all of its operations in an Enterprise Zone or Zones;

(N) An amount equal to any contribution made to a job training project established pursuant to the Tax Increment Allocation Redevelopment Act;

(O) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (M) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (O);

(P) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(Q) For taxable year 1999 and thereafter, an amount equal to the amount of any (i) distributions, to the extent includible in gross income for federal income tax purposes, made to the taxpayer because of his or her status as a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim and (ii) items of income, to the extent includible in gross income for federal income tax purposes, attributable to, derived from or in any way related to assets stolen from, hidden from, or otherwise lost to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime immediately prior to, during, and immediately after World War II, including, but not limited to, interest on the proceeds receivable as insurance under policies issued to a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime by European insurance companies immediately prior to and during World War II; provided, however, this subtraction from federal adjusted gross income does not apply to assets acquired with such assets or with the proceeds from the sale of such assets; provided, further, this paragraph shall only apply to a taxpayer who was the first recipient of such assets after their recovery and who is a victim of persecution for racial or religious reasons by Nazi Germany or any other Axis regime or as an

heir of the victim. The amount of and the eligibility for any public assistance, benefit, or similar entitlement is not affected by the inclusion of items (i) and (ii) of this paragraph in gross income for federal income tax purposes. This paragraph is exempt from the provisions of Section 250;

(R) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code; ~~and~~

(S) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (G-10), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property; -

(T) The amount of (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-12), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of such addition modification and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-13), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of such addition modification;

(U) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(c)(2)(G-12) for interest paid, accrued, or incurred, directly or indirectly, to the same foreign person; and

(V) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(c)(2)(G-13) for intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same foreign person.

(3) Limitation. The amount of any modification otherwise required under this subsection shall, under regulations prescribed by the Department, be adjusted by any amounts included therein which were properly paid, credited, or required to be distributed, or permanently set aside for charitable purposes pursuant to Internal Revenue Code Section 642(c) during the taxable year.

(d) Partnerships.

(1) In general. In the case of a partnership, base income means an amount equal to the taxpayer's taxable income for the taxable year as modified by paragraph (2).

(2) Modifications. The taxable income referred to in paragraph (1) shall be modified by adding thereto the sum of the following amounts:

(A) An amount equal to all amounts paid or accrued to the taxpayer as interest or

dividends during the taxable year to the extent excluded from gross income in the computation of taxable income;

(B) An amount equal to the amount of tax imposed by this Act to the extent deducted from gross income for the taxable year;

(C) The amount of deductions allowed to the partnership pursuant to Section 707 (c) of the Internal Revenue Code in calculating its taxable income;

(D) An amount equal to the amount of the capital gain deduction allowable under the Internal Revenue Code, to the extent deducted from gross income in the computation of taxable income;

(D-5) For taxable years 2001 and thereafter, an amount equal to the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on the taxpayer's federal income tax return for the taxable year under subsection (k) of Section 168 of the Internal Revenue Code; ~~and~~

(D-6) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-5), then an amount equal to the aggregate amount of the deductions taken in all taxable years under subparagraph (O) with respect to that property;

The taxpayer is required to make the addition modification under this subparagraph only once with respect to any one piece of property;

(D-7) For taxable years ending on or after December 31, 2004, an amount equal to the amount otherwise allowed as a deduction in computing base income for interest paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact the foreign person's business activity outside the United States is 80% or more of the foreign person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the interest was paid, accrued, or incurred.

This paragraph shall not apply to the following:

(i) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such interest; or

(ii) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person, during the same taxable year, paid, accrued, or incurred, the interest to a person that is not a related member, and

(b) the transaction giving rise to the interest expense between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects an arms-length interest rate and terms; or

(iii) the taxpayer can establish, based on clear and convincing evidence, that the interest paid, accrued, or incurred relates to a contract or agreement entered into at arm's length rates and terms and the principal purpose for the payment is not federal or Illinois tax avoidance; or

(iv) an item of interest paid, accrued, or incurred, directly or indirectly, to a foreign person if the taxpayer establishes by clear and convincing evidence that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under Section 304(f).

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act; and

(D-8) For taxable years ending on or after December 31, 2004, an amount equal to the amount of intangible expenses and costs otherwise allowed as a deduction in computing base income, and that were paid, accrued, or incurred, directly or indirectly, to a foreign person who would be a member of the same unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity. The addition modification required by this subparagraph shall be reduced to the extent that dividends were included in base

income of the unitary group for the same taxable year and received by the taxpayer or by a member of the taxpayer's unitary business group (including amounts included in gross income pursuant to Sections 951 through 964 of the Internal Revenue Code and amounts included in gross income under Section 78 of the Internal Revenue Code) with respect to the stock of the same person to whom the intangible expenses and costs were directly or indirectly paid, incurred or accrued. The preceding sentence shall not apply to the extent that the same dividends caused a reduction to the addition modification required under Section 203(d)(2)(D-7) of this Act. As used in this subparagraph, the term "intangible expenses and costs" includes (1) expenses, losses, and costs for, or related to, the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property; (2) losses incurred, directly or indirectly, from factoring transactions or discounting transactions; (3) royalty, patent, technical, and copyright fees; (4) licensing fees; and (5) other similar expenses and costs. For purposes of this subparagraph, "intangible property" includes patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets;

This paragraph shall not apply to the following:

(i) any item of intangible expenses or costs paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person who is subject in a foreign country or state, other than a state which requires mandatory unitary reporting, to a tax on or measured by net income with respect to such item; or

(ii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, if the taxpayer can establish, based on a preponderance of the evidence, both of the following:

(a) the foreign person during the same taxable year paid, accrued, or incurred, the intangible expense or cost to a person that is not a related member, and

(b) the transaction giving rise to the intangible expense or cost between the taxpayer and the foreign person did not have as a principal purpose the avoidance of Illinois income tax, and is paid pursuant to a contract or agreement that reflects arms length terms; or

(iii) any item of intangible expense or cost paid, accrued, or incurred, directly or indirectly, from a transaction with a foreign person if the taxpayer establishes by clear and convincing evidence, that the adjustments are unreasonable; or if the taxpayer and the Director agree in writing to the application or use of an alternative method of apportionment under section 304(f);

Nothing in this subsection shall preclude the Director from making any other adjustment otherwise allowed under Section 404 of this Act for any tax year beginning after the effective date of this amendment provided such adjustment is made pursuant to regulation adopted by the Department and such regulations provide methods and standards by which the Department will utilize its authority under Section 404 of this Act;

and by deducting from the total so obtained the following amounts:

(E) The valuation limitation amount;

(F) An amount equal to the amount of any tax imposed by this Act which was refunded to the taxpayer and included in such total for the taxable year;

(G) An amount equal to all amounts included in taxable income as modified by subparagraphs (A), (B), (C) and (D) which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization;

(H) Any income of the partnership which constitutes personal service income as defined in Section 1348 (b) (1) of the Internal Revenue Code (as in effect December 31, 1981) or a reasonable allowance for compensation paid or accrued for services rendered by partners to the partnership, whichever is greater;

(I) An amount equal to all amounts of income distributable to an entity subject to the Personal Property Tax Replacement Income Tax imposed by subsections (c) and (d) of Section 201 of this Act including amounts distributable to organizations exempt from federal income tax by reason of Section 501(a) of the Internal Revenue Code;

(J) With the exception of any amounts subtracted under subparagraph (G), an amount equal to the sum of all amounts disallowed as deductions by (i) Sections 171(a) (2), and 265(2) of the Internal Revenue Code of 1954, as now or hereafter amended, and all amounts of expenses allocable to interest and disallowed as deductions by Section 265(1) of the Internal Revenue Code, as now or hereafter amended; and (ii) for taxable years ending on or after August 13, 1999, Sections 171(a)(2), 265, 280C, and 832(b)(5)(B)(i) of the Internal Revenue Code; the provisions

of this subparagraph are exempt from the provisions of Section 250;

(K) An amount equal to those dividends included in such total which were paid by a corporation which conducts business operations in an Enterprise Zone or zones created under the Illinois Enterprise Zone Act, enacted by the 82nd General Assembly, and conducts substantially all of its operations in an Enterprise Zone or Zones;

(L) An amount equal to any contribution made to a job training project established pursuant to the Real Property Tax Increment Allocation Redevelopment Act;

(M) An amount equal to those dividends included in such total that were paid by a corporation that conducts business operations in a federally designated Foreign Trade Zone or Sub-Zone and that is designated a High Impact Business located in Illinois; provided that dividends eligible for the deduction provided in subparagraph (K) of paragraph (2) of this subsection shall not be eligible for the deduction provided under this subparagraph (M);

(N) An amount equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code of 1986;

(O) For taxable years 2001 and thereafter, for the taxable year in which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) is taken on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code and for each applicable taxable year thereafter, an amount equal to "x", where:

(1) "y" equals the amount of the depreciation deduction taken for the taxable year on the taxpayer's federal income tax return on property for which the bonus depreciation deduction (30% of the adjusted basis of the qualified property) was taken in any year under subsection (k) of Section 168 of the Internal Revenue Code, but not including the bonus depreciation deduction; and

(2) "x" equals "y" multiplied by 30 and then divided by 70 (or "y" multiplied by 0.429).

The aggregate amount deducted under this subparagraph in all taxable years for any one piece of property may not exceed the amount of the bonus depreciation deduction (30% of the adjusted basis of the qualified property) taken on that property on the taxpayer's federal income tax return under subsection (k) of Section 168 of the Internal Revenue Code; and

(P) If the taxpayer reports a capital gain or loss on the taxpayer's federal income tax return for the taxable year based on a sale or transfer of property for which the taxpayer was required in any taxable year to make an addition modification under subparagraph (D-5), then an amount equal to that addition modification.

The taxpayer is allowed to take the deduction under this subparagraph only once with respect to any one piece of property; -

(Q) The amount of (i) any interest income (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-17), 203(b)(2)(E-12), 203(c)(2)(G-12), or 203(d)(2)(D-7), but not to exceed the amount of such addition modification and (ii) any income from intangible property (net of the deductions allocable thereto) taken into account for the taxable year with respect to a transaction with a taxpayer that is required to make an addition modification with respect to such transaction under Section 203(a)(2)(D-18), 203(b)(2)(E-13), 203(c)(2)(G-13), or 203(d)(2)(D-8), but not to exceed the amount of such addition modification;

(R) An amount equal to the interest income taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(d)(2)(D-7) for interest paid, accrued, or incurred, directly or indirectly, to the same foreign person; and

(S) An amount equal to the income from intangible property taken into account for the taxable year (net of the deductions allocable thereto) with respect to transactions with a foreign person who would be a member of the taxpayer's unitary business group but for the fact that the foreign person's business activity outside the United States is 80% or more of that person's total business activity, but not to exceed the addition modification required to be made for the same taxable year under Section 203(d)(2)(D-8) for intangible expenses and costs paid, accrued, or incurred, directly or indirectly, to the same foreign person.

(e) Gross income; adjusted gross income; taxable income.

(1) In general. Subject to the provisions of paragraph (2) and subsection (b) (3), for purposes of this Section and Section 803(e), a taxpayer's gross income, adjusted gross income, or taxable income for the taxable year shall mean the amount of gross income, adjusted gross income or taxable income properly reportable for federal income tax purposes for the taxable year under the provisions of the Internal Revenue Code. Taxable income may be less than zero. However, for taxable years ending on or after December 31, 1986, net operating loss carryforwards from taxable years ending prior to December 31, 1986, may not exceed the sum of federal taxable income for the taxable year before net operating loss deduction, plus the excess of addition modifications over subtraction modifications for the taxable year. For taxable years ending prior to December 31, 1986, taxable income may never be an amount in excess of the net operating loss for the taxable year as defined in subsections (c) and (d) of Section 172 of the Internal Revenue Code, provided that when taxable income of a corporation (other than a Subchapter S corporation), trust, or estate is less than zero and addition modifications, other than those provided by subparagraph (E) of paragraph (2) of subsection (b) for corporations or subparagraph (E) of paragraph (2) of subsection (c) for trusts and estates, exceed subtraction modifications, an addition modification must be made under those subparagraphs for any other taxable year to which the taxable income less than zero (net operating loss) is applied under Section 172 of the Internal Revenue Code or under subparagraph (E) of paragraph (2) of this subsection (e) applied in conjunction with Section 172 of the Internal Revenue Code.

(2) Special rule. For purposes of paragraph (1) of this subsection, the taxable income properly reportable for federal income tax purposes shall mean:

(A) Certain life insurance companies. In the case of a life insurance company subject to the tax imposed by Section 801 of the Internal Revenue Code, life insurance company taxable income, plus the amount of distribution from pre-1984 policyholder surplus accounts as calculated under Section 815a of the Internal Revenue Code;

(B) Certain other insurance companies. In the case of mutual insurance companies subject to the tax imposed by Section 831 of the Internal Revenue Code, insurance company taxable income;

(C) Regulated investment companies. In the case of a regulated investment company subject to the tax imposed by Section 852 of the Internal Revenue Code, investment company taxable income;

(D) Real estate investment trusts. In the case of a real estate investment trust subject to the tax imposed by Section 857 of the Internal Revenue Code, real estate investment trust taxable income;

(E) Consolidated corporations. In the case of a corporation which is a member of an affiliated group of corporations filing a consolidated income tax return for the taxable year for federal income tax purposes, taxable income determined as if such corporation had filed a separate return for federal income tax purposes for the taxable year and each preceding taxable year for which it was a member of an affiliated group. For purposes of this subparagraph, the taxpayer's separate taxable income shall be determined as if the election provided by Section 243(b) (2) of the Internal Revenue Code had been in effect for all such years;

(F) Cooperatives. In the case of a cooperative corporation or association, the taxable income of such organization determined in accordance with the provisions of Section 1381 through 1388 of the Internal Revenue Code;

(G) Subchapter S corporations. In the case of: (i) a Subchapter S corporation for which there is in effect an election for the taxable year under Section 1362 of the Internal Revenue Code, the taxable income of such corporation determined in accordance with Section 1363(b) of the Internal Revenue Code, except that taxable income shall take into account those items which are required by Section 1363(b)(1) of the Internal Revenue Code to be separately stated; and (ii) a Subchapter S corporation for which there is in effect a federal election to opt out of the provisions of the Subchapter S Revision Act of 1982 and have applied instead the prior federal Subchapter S rules as in effect on July 1, 1982, the taxable income of such corporation determined in accordance with the federal Subchapter S rules as in effect on July 1, 1982; and

(H) Partnerships. In the case of a partnership, taxable income determined in accordance with Section 703 of the Internal Revenue Code, except that taxable income shall take into account those items which are required by Section 703(a)(1) to be separately stated but which would be taken into account by an individual in calculating his taxable income.

(3) Recapture of business expenses on disposition of asset or business. Notwithstanding any other law to the contrary, if in prior years income from an asset or business has been classified as business income and in a later year is demonstrated to be non-business income, then all expenses, without limitation, deducted in such later year and in the 2 immediately-preceding taxable years related to that asset or business that generated the non-business income shall be added back and recaptured as business income in the year of the disposition of the asset or business. Such amount shall be apportioned to Illinois using the greater of the apportionment fraction computed for the business under Section 304 of this Act for the taxable year or the average of the apportionment fractions computed for the business under Section 304 of this Act for the taxable year and for the 2 immediately preceding taxable years.

(f) Valuation limitation amount.

(1) In general. The valuation limitation amount referred to in subsections (a) (2)

(G), (c) (2) (I) and (d)(2) (E) is an amount equal to:

(A) The sum of the pre-August 1, 1969 appreciation amounts (to the extent consisting of gain reportable under the provisions of Section 1245 or 1250 of the Internal Revenue Code) for all property in respect of which such gain was reported for the taxable year; plus

(B) The lesser of (i) the sum of the pre-August 1, 1969 appreciation amounts (to the extent consisting of capital gain) for all property in respect of which such gain was reported for federal income tax purposes for the taxable year, or (ii) the net capital gain for the taxable year, reduced in either case by any amount of such gain included in the amount determined under subsection (a) (2) (F) or (c) (2) (H).

(2) Pre-August 1, 1969 appreciation amount.

(A) If the fair market value of property referred to in paragraph (1) was readily ascertainable on August 1, 1969, the pre-August 1, 1969 appreciation amount for such property is the lesser of (i) the excess of such fair market value over the taxpayer's basis (for determining gain) for such property on that date (determined under the Internal Revenue Code as in effect on that date), or (ii) the total gain realized and reportable for federal income tax purposes in respect of the sale, exchange or other disposition of such property.

(B) If the fair market value of property referred to in paragraph (1) was not readily ascertainable on August 1, 1969, the pre-August 1, 1969 appreciation amount for such property is that amount which bears the same ratio to the total gain reported in respect of the property for federal income tax purposes for the taxable year, as the number of full calendar months in that part of the taxpayer's holding period for the property ending July 31, 1969 bears to the number of full calendar months in the taxpayer's entire holding period for the property.

(C) The Department shall prescribe such regulations as may be necessary to carry out the purposes of this paragraph.

(g) Double deductions. Unless specifically provided otherwise, nothing in this Section shall permit the same item to be deducted more than once.

(h) Legislative intention. Except as expressly provided by this Section there shall be no modifications or limitations on the amounts of income, gain, loss or deduction taken into account in determining gross income, adjusted gross income or taxable income for federal income tax purposes for the taxable year, or in the amount of such items entering into the computation of base income and net income under this Act for such taxable year, whether in respect of property values as of August 1, 1969 or otherwise.

(Source: P.A. 91-192, eff. 7-20-99; 91-205, eff. 7-20-99; 91-357, eff. 7-29-99; 91-541, eff. 8-13-99; 91-676, eff. 12-23-99; 91-845, eff. 6-22-00; 91-913, eff. 1-1-01; 92-16, eff. 6-28-01; 92-244, eff. 8-3-01; 92-439, eff. 8-17-01; 92-603, eff. 6-28-02; 92-626, eff. 7-11-02; 92-651, eff. 7-11-02; 92-846, eff. 8-23-02; revised 10-15-03.)

(35 ILCS 5/205) (from Ch. 120, par. 2-205)

Sec. 205. Exempt organizations.

(a) Charitable, etc. organizations. The base income of an organization which is exempt from the federal income tax by reason of Section 501(a) of the Internal Revenue Code shall not be determined under section 203 of this Act, but shall be its unrelated business taxable income as determined under section 512 of the Internal Revenue Code, without any deduction for the tax imposed by this Act. The standard exemption provided by section 204 of this Act shall not be allowed in determining the net

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income of an organization to which this subsection applies.

(b) Partnerships. A partnership as such shall not be subject to the tax imposed by subsection 201 (a) and (b) of this Act, but shall be subject to the replacement tax imposed by subsection 201 (c) and (d) of this Act and shall compute its base income as described in subsection (d) of Section 203 of this Act. For taxable years ending on or after December 31, 2004, an investment partnership, as defined in Section 1501(a)(11.5) of this Act, shall not be subject to the tax imposed by subsections (c) and (d) of Section 201 of this Act. A partnership shall file such returns and other information at such time and in such manner as may be required under Article 5 of this Act. The partners in a partnership shall be liable for the replacement tax imposed by subsection 201 (c) and (d) of this Act on such partnership, to the extent such tax is not paid by the partnership, as provided under the laws of Illinois governing the liability of partners for the obligations of a partnership. Persons carrying on business as partners shall be liable for the tax imposed by subsection 201 (a) and (b) of this Act only in their separate or individual capacities.

(c) Subchapter S corporations. A Subchapter S corporation shall not be subject to the tax imposed by subsection 201 (a) and (b) of this Act but shall be subject to the replacement tax imposed by subsection 201 (c) and (d) of this Act and shall file such returns and other information at such time and in such manner as may be required under Article 5 of this Act.

(d) Combat zone death. An individual relieved from the federal income tax for any taxable year by reason of section 692 of the Internal Revenue Code shall not be subject to the tax imposed by this Act for such taxable year.

(e) Certain trusts. A common trust fund described in Section 584 of the Internal Revenue Code, and any other trust to the extent that the grantor is treated as the owner thereof under sections 671 through 678 of the Internal Revenue Code shall not be subject to the tax imposed by this Act.

(f) Certain business activities. A person not otherwise subject to the tax imposed by this Act shall not become subject to the tax imposed by this Act by reason of:

(1) that person's ownership of tangible personal property located at the premises of a printer in this State with which the person has contracted for printing, or

(2) activities of the person's employees or agents located solely at the premises of a printer and related to quality control, distribution, or printing services performed by a printer in the State with which the person has contracted for printing.

(Source: P.A. 88-361.)

(35 ILCS 5/305) (from Ch. 120, par. 3-305)

Sec. 305. Allocation of Partnership Income by partnerships and partners other than residents. (a) Allocation of partnership business income by partners other than residents. The respective shares of partners other than residents in so much of the business income of the partnership as is allocated or apportioned to this State in the possession of the partnership shall be taken into account by such partners pro rata in accordance with their respective distributive shares of such partnership income for the partnership's taxable year and allocated to this State.

(b) Allocation of partnership nonbusiness income by partners other than residents. The respective shares of partners other than residents in the items of partnership income and deduction not taken into account in computing the business income of a partnership shall be taken into account by such partners pro rata in accordance with their respective distributive shares of such partnership income for the partnership's taxable year, and allocated as if such items had been paid, incurred or accrued directly to such partners in their separate capacities.

(c) Allocation or apportionment of base income by partnership. Base income of a partnership shall be allocated or apportioned to this State pursuant to Article 3, in the same manner as it is allocated or apportioned for any other nonresident.

(c-5) Taxable income of an investment partnership, as defined in Section 1501(a)(11.5) of this Act, that is distributable to a nonresident partner shall be treated as nonbusiness income and shall be allocated to the partner's state of residence (in the case of an individual) or commercial domicile (in the case of any other person). However, any income distributable to a nonresident partner shall be treated as business income and apportioned as if such income had been received directly by the partner if the partner has made an election under Section 1501(a)(1) of this Act to treat all income as business income or if such income is from investment activity:

(1) that is directly or integrally related to any other business activity conducted in this State by the nonresident partner (or any member of that partner's unitary business group);

(2) that serves an operational function to any other business activity of the nonresident partner (or any member of that partner's unitary business group) in this State; or

(3) where assets of the investment partnership were acquired with working capital from a trade or

business activity conducted in this State in which the nonresident partner (or any member of that partner's unitary business group) owns an interest.

(d) Cross reference. For allocation of partnership income or deductions by residents, see Section 301(a).

(Source: P.A. 84-550.)

(35 ILCS 5/1501) (from Ch. 120, par. 15-1501)

Sec. 1501. Definitions.

(a) In general. When used in this Act, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) Business income. The term "business income" means all income that may be treated as apportionable business income under the Constitution of the United States. Business income is net of the deductions allocable thereto income arising from transactions and activity in the regular course of the taxpayer's trade or business, net of the deductions allocable thereto, and includes income from tangible and intangible property if the acquisition, management, and disposition of the property constitute integral parts of the taxpayer's regular trade or business operations. Such term does not include

compensation or the deductions allocable thereto. For each taxable year beginning on or after January 1, 2003, a taxpayer may elect to treat all income other than compensation as business income. This election shall be made in accordance with rules adopted by the Department and, once made, shall be irrevocable.

(2) Commercial domicile. The term "commercial domicile" means the principal place from which the trade or business of the taxpayer is directed or managed.

(3) Compensation. The term "compensation" means wages, salaries, commissions and any other form of remuneration paid to employees for personal services.

(4) Corporation. The term "corporation" includes associations, joint-stock companies, insurance companies and cooperatives. Any entity, including a limited liability company formed under the Illinois Limited Liability Company Act, shall be treated as a corporation if it is so classified for federal income tax purposes.

(5) Department. The term "Department" means the Department of Revenue of this State.

(6) Director. The term "Director" means the Director of Revenue of this State.

(7) Fiduciary. The term "fiduciary" means a guardian, trustee, executor, administrator, receiver, or any person acting in any fiduciary capacity for any person.

(8) Financial organization.

(A) The term "financial organization" means any bank, bank holding company, trust company, savings bank, industrial bank, land bank, safe deposit company, private banker, savings and loan association, building and loan association, credit union, currency exchange, cooperative bank, small loan company, sales finance company, investment company, or any person which is owned by a bank or bank holding company. For the purpose of this Section a "person" will include only those persons which a bank holding company may acquire and hold an interest in, directly or indirectly, under the provisions of the Bank Holding Company Act of 1956 (12 U.S.C. 1841, et seq.), except where interests in any person must be disposed of within certain required time limits under the Bank Holding Company Act of 1956.

(B) For purposes of subparagraph (A) of this paragraph, the term "bank" includes (i) any entity that is regulated by the Comptroller of the Currency under the National Bank Act, or by the Federal Reserve Board, or by the Federal Deposit Insurance Corporation and (ii) any federally or State chartered bank operating as a credit card bank.

(C) For purposes of subparagraph (A) of this paragraph, the term "sales finance company" has the meaning provided in the following item (i) or (ii):

(i) A person primarily engaged in one or more of the following businesses: the business of purchasing customer receivables, the business of making loans upon the security of customer receivables, the business of making loans for the express purpose of funding purchases of tangible personal property or services by the borrower, or the business of finance leasing. For purposes of this item (i), "customer receivable" means:

(a) a retail installment contract or retail charge agreement within the meaning of the Sales Finance Agency Act, the Retail Installment Sales Act, or the Motor Vehicle Retail Installment Sales Act;

(b) an installment, charge, credit, or similar contract or agreement arising from the sale of tangible personal property or services in a transaction involving a deferred payment price payable in one or more installments subsequent to the sale; or

- (c) the outstanding balance of a contract or agreement described in provisions (a) or (b) of this item (i).

A customer receivable need not provide for payment of interest on deferred payments. A sales finance company may purchase a customer receivable from, or make a loan secured by a customer receivable to, the seller in the original transaction or to a person who purchased the customer receivable directly or indirectly from that seller.

- (ii) A corporation meeting each of the following criteria:

(a) the corporation must be a member of an "affiliated group" within the meaning of Section 1504(a) of the Internal Revenue Code, determined without regard to Section 1504(b) of the Internal Revenue Code;

(b) more than 50% of the gross income of the corporation for the taxable year must be interest income derived from qualifying loans. A "qualifying loan" is a loan made to a member of the corporation's affiliated group that originates customer receivables (within the meaning of item (i)) or to whom customer receivables originated by a member of the affiliated group have been transferred, to the extent the average outstanding balance of loans from that corporation to members of its affiliated group during the taxable year do not exceed the limitation amount for that corporation. The "limitation amount" for a corporation is the average outstanding balances during the taxable year of customer receivables (within the meaning of item (i)) originated by all members of the affiliated group. If the average outstanding balances of the loans made by a corporation to members of its affiliated group exceed the limitation amount, the interest income of that corporation from qualifying loans shall be equal to its interest income from loans to members of its affiliated groups times a fraction equal to the limitation amount divided by the average outstanding balances of the loans made by that corporation to members of its affiliated group;

(c) the total of all shareholder's equity (including, without limitation, paid-in capital on common and preferred stock and retained earnings) of the corporation plus the total of all of its loans, advances, and other obligations payable or owed to members of its affiliated group may not exceed 20% of the total assets of the corporation at any time during the tax year; and

(d) more than 50% of all interest-bearing obligations of the affiliated group payable to persons outside the group determined in accordance with generally accepted accounting principles must be obligations of the corporation.

This amendatory Act of the 91st General Assembly is declaratory of existing law.

(D) Subparagraphs (B) and (C) of this paragraph are declaratory of existing law and apply retroactively, for all tax years beginning on or before December 31, 1996, to all original returns, to all amended returns filed no later than 30 days after the effective date of this amendatory Act of 1996, and to all notices issued on or before the effective date of this amendatory Act of 1996 under subsection (a) of Section 903, subsection (a) of Section 904, subsection (e) of Section 909, or Section 912. A taxpayer that is a "financial organization" that engages in any transaction with an affiliate shall be a "financial organization" for all purposes of this Act.

(E) For all tax years beginning on or before December 31, 1996, a taxpayer that falls within the definition of a "financial organization" under subparagraphs (B) or (C) of this paragraph, but who does not fall within the definition of a "financial organization" under the Proposed Regulations issued by the Department of Revenue on July 19, 1996, may irrevocably elect to apply the Proposed Regulations for all of those years as though the Proposed Regulations had been lawfully promulgated, adopted, and in effect for all of those years. For purposes of applying subparagraphs (B) or (C) of this paragraph to all of those years, the election allowed by this subparagraph applies only to the taxpayer making the election and to those members of the taxpayer's unitary business group who are ordinarily required to apportion business income under the same subsection of Section 304 of this Act as the taxpayer making the election. No election allowed by this subparagraph shall be made under a claim filed under subsection (d) of Section 909 more than 30 days after the effective date of this amendatory Act of 1996.

(F) Finance Leases. For purposes of this subsection, a finance lease shall be treated as a loan or other extension of credit, rather than as a lease, regardless of how the transaction is characterized for any other purpose, including the purposes of any regulatory agency to which the lessor is subject. A finance lease is any transaction in the form of a lease in which the lessee is treated as the owner of the leased asset entitled to any deduction for depreciation allowed under Section 167 of the Internal Revenue Code.

(9) Fiscal year. The term "fiscal year" means an accounting period of 12 months ending on the last day of any month other than December.

(10) Includes and including. The terms "includes" and "including" when used in a definition contained in this Act shall not be deemed to exclude other things otherwise within the meaning of the term defined.

(11) Internal Revenue Code. The term "Internal Revenue Code" means the United States Internal Revenue Code of 1954 or any successor law or laws relating to federal income taxes in effect for the taxable year.

(11.5) Investment partnership.

(A) The term "investment partnership" means any entity that is treated as a partnership for federal income tax purposes that meets the following requirements:

(i) no less than 90% of the partnership's cost of its total assets consists of qualifying investment securities, deposits at banks or other financial institutions, and office space and equipment reasonably necessary to carry on its activities as an investment partnership;

(ii) no less than 90% of its gross income consists of interest, dividends, and gains from the sale or exchange of qualifying investment securities; and

(iii) the partnership is not a dealer in qualifying investment securities.

(B) For purposes of this paragraph (11.5), the term "qualifying investment securities" includes all of the following:

(i) common stock, including preferred or debt securities convertible into common stock, and preferred stock;

(ii) bonds, debentures, and other debt securities;

(iii) foreign and domestic currency deposits secured by federal, state, or local governmental agencies;

(iv) mortgage or asset-backed securities secured by federal, state, or local governmental agencies;

(v) repurchase agreements and loan participations;

(vi) foreign currency exchange contracts and forward and futures contracts on foreign currencies;

(vii) stock and bond index securities and futures contracts and other similar financial securities and futures contracts on those securities;

(viii) options for the purchase or sale of any of the securities, currencies, contracts, or financial instruments described in items (i) to (vii), inclusive;

(ix) regulated futures contracts;

(x) commodities (not described in Section 1221(a)(1) of the Internal Revenue Code) or futures, forwards, and options with respect to such commodities, provided, however, that any item of a physical commodity to which title is actually acquired in the partnership's capacity as a dealer in such commodity shall not be a qualifying investment security;

(xi) derivatives; and

(xii) a partnership interest in another partnership that is an investment partnership.

(12) Mathematical error. The term "mathematical error" includes the following types of errors, omissions, or defects in a return filed by a taxpayer which prevents acceptance of the return as filed for processing:

(A) arithmetic errors or incorrect computations on the return or supporting schedules;

(B) entries on the wrong lines;

(C) omission of required supporting forms or schedules or the omission of the information in whole or in part called for thereon; and

(D) an attempt to claim, exclude, deduct, or improperly report, in a manner directly contrary to the provisions of the Act and regulations thereunder any item of income, exemption, deduction, or credit.

(13) Nonbusiness income. The term "nonbusiness income" means all income other than business income or compensation.

(14) Nonresident. The term "nonresident" means a person who is not a resident.

(15) Paid, incurred and accrued. The terms "paid", "incurred" and "accrued" shall be construed according to the method of accounting upon the basis of which the person's base income is computed under this Act.

(16) Partnership and partner. The term "partnership" includes a syndicate, group, pool, joint venture or other unincorporated organization, through or by means of which any business,

financial operation, or venture is carried on, and which is not, within the meaning of this Act, a trust or estate or a corporation; and the term "partner" includes a member in such syndicate, group, pool, joint venture or organization.

The term "partnership" includes any entity, including a limited liability company formed under the Illinois Limited Liability Company Act, classified as a partnership for federal income tax purposes.

The term "partnership" does not include a syndicate, group, pool, joint venture, or other unincorporated organization established for the sole purpose of playing the Illinois State Lottery.

(17) Part-year resident. The term "part-year resident" means an individual who became a resident during the taxable year or ceased to be a resident during the taxable year. Under Section 1501(a)(20)(A)(i) residence commences with presence in this State for other than a temporary or transitory purpose and ceases with absence from this State for other than a temporary or transitory purpose. Under Section 1501(a)(20)(A)(ii) residence commences with the establishment of domicile in this State and ceases with the establishment of domicile in another State.

(18) Person. The term "person" shall be construed to mean and include an individual, a trust, estate, partnership, association, firm, company, corporation, limited liability company, or fiduciary. For purposes of Section 1301 and 1302 of this Act, a "person" means (i) an individual, (ii) a corporation, (iii) an officer, agent, or employee of a corporation, (iv) a member, agent or employee of a partnership, or (v) a member, manager, employee, officer, director, or agent of a limited liability company who in such capacity commits an offense specified in Section 1301 and 1302.

(18A) Records. The term "records" includes all data maintained by the taxpayer, whether on paper, microfilm, microfiche, or any type of machine-sensible data compilation.

(19) Regulations. The term "regulations" includes rules promulgated and forms prescribed by the Department.

(20) Resident. The term "resident" means:

(A) an individual (i) who is in this State for other than a temporary or transitory purpose during the taxable year; or (ii) who is domiciled in this State but is absent from the State for a temporary or transitory purpose during the taxable year;

(B) The estate of a decedent who at his or her death was domiciled in this State;

(C) A trust created by a will of a decedent who at his death was domiciled in this State; and

(D) An irrevocable trust, the grantor of which was domiciled in this State at the time such trust became irrevocable. For purpose of this subparagraph, a trust shall be considered irrevocable to the extent that the grantor is not treated as the owner thereof under Sections 671 through 678 of the Internal Revenue Code.

(21) Sales. The term "sales" means all gross receipts of the taxpayer not allocated under Sections 301, 302 and 303.

(22) State. The term "state" when applied to a jurisdiction other than this State means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any Territory or Possession of the United States, and any foreign country, or any political subdivision of any of the foregoing. For purposes of the foreign tax credit under Section 601, the term "state" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States, or any political subdivision of any of the foregoing, effective for tax years ending on or after December 31, 1989.

(23) Taxable year. The term "taxable year" means the calendar year, or the fiscal year ending during such calendar year, upon the basis of which the base income is computed under this Act. "Taxable year" means, in the case of a return made for a fractional part of a year under the provisions of this Act, the period for which such return is made.

(24) Taxpayer. The term "taxpayer" means any person subject to the tax imposed by this Act.

(25) International banking facility. The term international banking facility shall have the same meaning as is set forth in the Illinois Banking Act or as is set forth in the laws of the United States or regulations of the Board of Governors of the Federal Reserve System.

(26) Income Tax Return Preparer.

(A) The term "income tax return preparer" means any person who prepares for compensation, or who employs one or more persons to prepare for compensation, any return of tax imposed by this Act or any claim for refund of tax imposed by this Act. The preparation of a

substantial portion of a return or claim for refund shall be treated as the preparation of that return or claim for refund.

(B) A person is not an income tax return preparer if all he or she does is

(i) furnish typing, reproducing, or other mechanical assistance;

(ii) prepare returns or claims for refunds for the employer by whom he or she is regularly and continuously employed;

(iii) prepare as a fiduciary returns or claims for refunds for any person; or

(iv) prepare claims for refunds for a taxpayer in response to any notice of deficiency issued to that taxpayer or in response to any waiver of restriction after the commencement of an audit of that taxpayer or of another taxpayer if a determination in the audit of the other taxpayer directly or indirectly affects the tax liability of the taxpayer whose claims he or she is preparing.

(27) Unitary business group. The term "unitary business group" means a group of persons related through common ownership whose business activities are integrated with, dependent upon and contribute to each other. The group will not include those members whose business activity outside the United States is 80% or more of any such member's total business activity; for purposes of this paragraph and clause (a)(3)(B)(ii) of Section 304, business activity within the United States shall be measured by means of the factors ordinarily applicable under subsections (a), (b), (c), (d), or (h) of Section 304 except that, in the case of members ordinarily required to apportion business income by means of the 3 factor formula of property, payroll and sales specified in subsection (a) of Section 304, including the formula as weighted in subsection (h) of Section 304, such members shall not use the sales factor in the computation and the results of the property and payroll factor computations of subsection (a) of Section 304 shall be divided by 2 (by one if either the property or payroll factor has a denominator of zero). The computation required by the preceding sentence shall, in each case, involve the division of the member's property, payroll, or revenue miles in the United States, insurance premiums on property or risk in the United States, or financial organization business income from sources within the United States, as the case may be, by the respective worldwide figures for such items. Common ownership in the case of corporations is the direct or indirect control or ownership of more than 50% of the outstanding voting stock of the persons carrying on unitary business activity. Unitary business activity can ordinarily be illustrated where the activities of the members are: (1) in the same general line (such as manufacturing, wholesaling, retailing of tangible personal property, insurance, transportation or finance); or (2) are steps in a vertically structured enterprise or process (such as the steps involved in the production of natural resources, which might include exploration, mining, refining, and marketing); and, in either instance, the members are functionally integrated through the exercise of strong centralized management (where, for example, authority over such matters as purchasing, financing, tax compliance, product line, personnel, marketing and capital investment is not left to each member). In no event, however, will any unitary business group include members which are ordinarily required to apportion business income under different subsections of Section 304 except that for tax years ending on or after December 31, 1987 this prohibition shall not apply to a unitary business group composed of one or more taxpayers all of which apportion business income pursuant to subsection (b) of Section 304, or all of which apportion business income pursuant to subsection (d) of Section 304, and a holding company of such single-factor taxpayers (see definition of "financial organization" for rule regarding holding companies of financial organizations). If a unitary business group would, but for the preceding sentence, include members that are ordinarily required to apportion business income under different subsections of Section 304, then for each subsection of Section 304 for which there are two or more members, there shall be a separate unitary business group composed of such members. For purposes of the preceding two sentences, a member is "ordinarily required to apportion business income" under a particular subsection of Section 304 if it would be required to use the apportionment method prescribed by such subsection except for the fact that it derives business income solely from Illinois. As used in this paragraph, the phrase "United States" means only the 50 states and the District of Columbia, but does not include any territory or possession of the United States or any area over which the United States has asserted jurisdiction or claimed exclusive rights with respect to the exploration for or exploitation of natural resources.

If the unitary business group members' accounting periods differ, the common parent's accounting period or, if there is no common parent, the accounting period of the member that is expected to have, on a recurring basis, the greatest Illinois income tax liability must be used to determine whether to use the apportionment method provided in subsection (a) or subsection (h) of

Section 304. The prohibition against membership in a unitary business group for taxpayers ordinarily required to apportion income under different subsections of Section 304 does not apply to taxpayers required to apportion income under subsection (a) and subsection (h) of Section 304. The provisions of this amendatory Act of 1998 apply to tax years ending on or after December 31, 1998.

(28) Subchapter S corporation. The term "Subchapter S corporation" means a corporation for which there is in effect an election under Section 1362 of the Internal Revenue Code, or for which there is a federal election to opt out of the provisions of the Subchapter S Revision Act of 1982 and have applied instead the prior federal Subchapter S rules as in effect on July 1, 1982.

(30) Foreign person. The term "foreign person" means any person who is a nonresident alien individual and any nonindividual entity, regardless of where created or organized, whose business activity outside the United States is 80% or more of the entity's total business activity.

(b) Other definitions.

(1) Words denoting number, gender, and so forth, when used in this Act, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(A) Words importing the singular include and apply to several persons, parties or things;

(B) Words importing the plural include the singular; and

(C) Words importing the masculine gender include the feminine as well.

(2) "Company" or "association" as including successors and assigns. The word "company" or "association", when used in reference to a corporation, shall be deemed to embrace the words "successors and assigns of such company or association", and in like manner as if these last-named words, or words of similar import, were expressed.

(3) Other terms. Any term used in any Section of this Act with respect to the application of, or in connection with, the provisions of any other Section of this Act shall have the same meaning as in such other Section.

(Source: P.A. 91-535, eff. 1-1-00; 91-913, eff. 1-1-01; 92-846, eff. 8-23-02.)

ARTICLE 30

Section 30-5. The Illinois Vehicle Code is amended by changing Sections 2-119, 3-820, 3-821, and 11-501 and by adding Section 3-821.2 as follows:

(625 ILCS 5/2-119) (from Ch. 95 1/2, par. 2-119)

Sec. 2-119. Disposition of fees and taxes.

(a) All moneys received from Salvage Certificates shall be deposited in the Common School Fund in the State Treasury.

(b) Beginning January 1, 1990 and concluding December 31, 1994, of the money collected for each certificate of title, duplicate certificate of title and corrected certificate of title, \$0.50 shall be deposited into the Used Tire Management Fund. Beginning January 1, 1990 and concluding December 31, 1994, of the money collected for each certificate of title, duplicate certificate of title and corrected certificate of title, \$1.50 shall be deposited in the Park and Conservation Fund.

Beginning January 1, 1995, of the money collected for each certificate of title, duplicate certificate of title and corrected certificate of title, \$2 shall be deposited in the Park and Conservation Fund. The moneys deposited in the Park and Conservation Fund pursuant to this Section shall be used for the acquisition and development of bike paths as provided for in Section 805-420 of the Department of Natural Resources (Conservation) Law (20 ILCS 805/805-420).

Beginning January 1, 2000, of the moneys collected for each certificate of title, duplicate certificate of title, and corrected certificate of title, \$48 shall be deposited into the Road Fund and \$4 shall be deposited into the Motor Vehicle License Plate Fund, except that if the balance in the Motor Vehicle License Plate Fund exceeds \$40,000,000 on the last day of a calendar month, then during the next calendar month the \$4 shall instead be deposited into the Road Fund.

Beginning January 1, 2005, of the moneys collected for each delinquent vehicle registration renewal fee, \$20 shall be deposited into the General Revenue Fund.

Except as otherwise provided in this Code, all remaining moneys collected for certificates of title, and all moneys collected for filing of security interests, shall be placed in the General Revenue Fund in the State Treasury.

(c) All moneys collected for that portion of a driver's license fee designated for driver education under Section 6-118 shall be placed in the Driver Education Fund in the State Treasury.

(d) Beginning January 1, 1999, of the monies collected as a registration fee for each motorcycle,

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motor driven cycle and motorized pedalcycle, 27% of each annual registration fee for such vehicle and 27% of each semiannual registration fee for such vehicle is deposited in the Cycle Rider Safety Training Fund.

(e) Of the monies received by the Secretary of State as registration fees or taxes or as payment of any other fee, as provided in this Act, except fees received by the Secretary under paragraph (7) of subsection (b) of Section 5-101 and Section 5-109 of this Code, 37% shall be deposited into the State Construction Fund.

(f) Of the total money collected for a CDL instruction permit or original or renewal issuance of a commercial driver's license (CDL) pursuant to the Uniform Commercial Driver's License Act (UCDLA): (i) \$6 of the total fee for an original or renewal CDL, and \$6 of the total CDL instruction permit fee when such permit is issued to any person holding a valid Illinois driver's license, shall be paid into the CDLIS/AAMVAnet Trust Fund (Commercial Driver's License Information System/American Association of Motor Vehicle Administrators network Trust Fund) and shall be used for the purposes provided in Section 6z-23 of the State Finance Act and (ii) \$20 of the total fee for an original or renewal CDL or commercial driver instruction permit shall be paid into the Motor Carrier Safety Inspection Fund, which is hereby created as a special fund in the State Treasury, to be used by the Department of State Police, subject to appropriation, to hire additional officers to conduct motor carrier safety inspections pursuant to Chapter 18b of this Code.

(g) All remaining moneys received by the Secretary of State as registration fees or taxes or as payment of any other fee, as provided in this Act, except fees received by the Secretary under paragraph (7)(A) of subsection (b) of Section 5-101 and Section 5-109 of this Code, shall be deposited in the Road Fund in the State Treasury. Moneys in the Road Fund shall be used for the purposes provided in Section 8.3 of the State Finance Act.

(h) (Blank).

(i) (Blank).

(j) (Blank).

(k) There is created in the State Treasury a special fund to be known as the Secretary of State Special License Plate Fund. Money deposited into the Fund shall, subject to appropriation, be used by the Office of the Secretary of State (i) to help defray plate manufacturing and plate processing costs for the issuance and, when applicable, renewal of any new or existing registration plates authorized under this Code and (ii) for grants made by the Secretary of State to benefit Illinois Veterans Home libraries.

On or before October 1, 1995, the Secretary of State shall direct the State Comptroller and State Treasurer to transfer any unexpended balance in the Special Environmental License Plate Fund, the Special Korean War Veteran License Plate Fund, and the Retired Congressional License Plate Fund to the Secretary of State Special License Plate Fund.

(l) The Motor Vehicle Review Board Fund is created as a special fund in the State Treasury. Moneys deposited into the Fund under paragraph (7) of subsection (b) of Section 5-101 and Section 5-109 shall, subject to appropriation, be used by the Office of the Secretary of State to administer the Motor Vehicle Review Board, including without limitation payment of compensation and all necessary expenses incurred in administering the Motor Vehicle Review Board under the Motor Vehicle Franchise Act.

(m) Effective July 1, 1996, there is created in the State Treasury a special fund to be known as the Family Responsibility Fund. Moneys deposited into the Fund shall, subject to appropriation, be used by the Office of the Secretary of State for the purpose of enforcing the Family Financial Responsibility Law.

(n) The Illinois Fire Fighters' Memorial Fund is created as a special fund in the State Treasury. Moneys deposited into the Fund shall, subject to appropriation, be used by the Office of the State Fire Marshal for construction of the Illinois Fire Fighters' Memorial to be located at the State Capitol grounds in Springfield, Illinois. Upon the completion of the Memorial, moneys in the Fund shall be used in accordance with Section 3-634.

(o) Of the money collected for each certificate of title for all-terrain vehicles and off-highway motorcycles, \$17 shall be deposited into the Off-Highway Vehicle Trails Fund.

(p) For audits conducted on or after July 1, 2003 pursuant to Section 2-124(d) of this Code, 50% of the money collected as audit fees shall be deposited into the General Revenue Fund.

(Source: P.A. 92-16, eff. 6-28-01; 93-32, eff. 7-1-03.)

(625 ILCS 5/3-820) (from Ch. 95 1/2, par. 3-820)

Sec. 3-820. Duplicate Number Plates. Upon filing in the Office of the Secretary of State an affidavit to the effect that an original number plate for a vehicle is lost, stolen or destroyed, a duplicate number

plate shall be furnished upon payment of a fee of \$6 for each duplicate plate and a fee of \$9 for a pair of duplicate plates.

Upon filing in the Office of the Secretary of State an affidavit to the effect that an original registration sticker for a vehicle is lost, stolen or destroyed, a new registration sticker shall be furnished upon payment of a fee of \$5.

The Secretary of State may, in his discretion, assign a new number plate or plates in lieu of a duplicate of the plate or plates so lost, stolen or destroyed, but such assignment of a new plate or plates shall not affect the right of the owner to secure a reassignment of his original registration number in the manner provided in this Act. The fee for one new number plate shall be \$6, and for a pair of new number plates, \$9.

For the administration of this Section, the Secretary shall consider the loss of a registration plate or plates with properly affixed registration stickers as requiring the payment of ~~either~~

(i) \$11 for each duplicate; ~~or~~

(ii) \$14 for a pair of duplicate plates; ~~or~~

~~(iii) \$39 for a pair of duplicate plates on or after January 1, 2005, which includes a fee of \$20 for the replacement sticker or \$19 for a pair of duplicate plates if stickers are required on both front and rear registration plates.~~

(Source: P.A. 91-37, eff. 7-1-99.)

(625 ILCS 5/3-821) (from Ch. 95 1/2, par. 3-821)

Sec. 3-821. Miscellaneous Registration and Title Fees.

(a) The fee to be paid to the Secretary of State for the following certificates, registrations or evidences of proper registration, or for corrected or duplicate documents shall be in accordance with the following schedule:

Certificate of Title, except for an all-terrain vehicle or off-highway motorcycle	\$65
Certificate of Title for an all-terrain vehicle or off-highway motorcycle	\$30
Certificate of Title for an all-terrain vehicle or off-highway motorcycle used for production agriculture, or accepted by a dealer in trade	13
Transfer of Registration or any evidence of proper registration	15
Duplicate Registration Card for plates or other evidence of proper registration	3
Duplicate Registration Sticker or Stickers, each	
Duplicate Certificate of Title	65
Corrected Registration Card or Card for other evidence of proper registration	3
Corrected Certificate of Title	65
Salvage Certificate	4
Fleet Reciprocity Permit	15
Prorate Decal	1
Prorate Backing Plate	3

There shall be no fee paid for a Junking Certificate.

(b) The Secretary may prescribe the maximum service charge to be imposed upon an applicant for renewal of a registration by any person authorized by law to receive and remit or transmit to the Secretary such renewal application and fees therewith.

(c) If a check is delivered to the Office of the Secretary of State as payment of any fee or tax under this Code, and such check is not honored by the bank on which it is drawn for any reason, the registrant or other person tendering the check remains liable for the payment of such fee or tax. The Secretary of State may assess a service charge of \$19 in addition to the fee or tax due and owing for all dishonored checks.

If the total amount then due and owing exceeds the sum of \$50 and has not been paid in full within 60 days from the date such fee or tax became due to the Secretary of State, the Secretary of State shall assess a penalty of 25% of such amount remaining unpaid.

All amounts payable under this Section shall be computed to the nearest dollar.

(d) The minimum fee and tax to be paid by any applicant for apportionment of a fleet of vehicles under this Code shall be \$15 if the application was filed on or before the date specified by the Secretary together with fees and taxes due. If an application and the fees or taxes due are filed after the

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date specified by the Secretary, the Secretary may prescribe the payment of interest at the rate of 1/2 of 1% per month or fraction thereof after such due date and a minimum of \$8.

(e) Trucks, truck tractors, truck tractors with loads, and motor buses, any one of which having a combined total weight in excess of 12,000 lbs. shall file an application for a Fleet Reciprocity Permit issued by the Secretary of State. This permit shall be in the possession of any driver operating a vehicle on Illinois highways. Any foreign licensed vehicle of the second division operating at any time in Illinois without a Fleet Reciprocity Permit or other proper Illinois registration, shall subject the operator to the penalties provided in Section 3-834 of this Code. For the purposes of this Code, "Fleet Reciprocity Permit" means any second division motor vehicle with a foreign license and used only in interstate transportation of goods. The fee for such permit shall be \$15 per fleet which shall include all vehicles of the fleet being registered.

(f) For purposes of this Section, "all-terrain vehicle or off-highway motorcycle used for production agriculture" means any all-terrain vehicle or off-highway motorcycle used in the raising of or the propagation of livestock, crops for sale for human consumption, crops for livestock consumption, and production seed stock grown for the propagation of feed grains and the husbandry of animals or for the purpose of providing a food product, including the husbandry of blood stock as a main source of providing a food product. "All-terrain vehicle or off-highway motorcycle used in production agriculture" also means any all-terrain vehicle or off-highway motorcycle used in animal husbandry, floriculture, aquaculture, horticulture, and viticulture.

(Source: P.A. 91-37, eff. 7-1-99; 91-441, eff. 1-1-00; 92-16, eff. 6-28-01.)

(625 ILCS 5/3-821.2 new)

Sec. 3-821.2. Delinquent Registration Renewal Fee. For registration renewal periods beginning on or after January 1, 2005, the Secretary of State may impose a delinquent registration renewal fee of \$20 for the registration renewal of all passenger vehicles of the first division and motor vehicles of the second division weighing not more than 8,000 pounds if the application for registration renewal is received by the Secretary more than one month after the expiration of the most recent period during which the vehicle was registered. If a delinquent registration renewal fee is imposed, the Secretary shall not renew the registration of such a vehicle until the delinquent registration renewal fee has been paid, in addition to any other registration fees owed for the vehicle. Active duty military personnel stationed outside of Illinois shall not be required to pay the delinquent registration renewal fee. If a delinquent registration renewal fee is imposed, the Secretary shall adopt rules for the implementation of this Section.

(625 ILCS 5/11-501) (from Ch. 95 1/2, par. 11-501)

Sec. 11-501. Driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof.

(a) A person shall not drive or be in actual physical control of any vehicle within this State while:

(1) the alcohol concentration in the person's blood or breath is 0.08 or more based on the definition of blood and breath units in Section 11-501.2;

(2) under the influence of alcohol;

(3) under the influence of any intoxicating compound or combination of intoxicating compounds to a degree that renders the person incapable of driving safely;

(4) under the influence of any other drug or combination of drugs to a degree that renders the person incapable of safely driving;

(5) under the combined influence of alcohol, other drug or drugs, or intoxicating compound or compounds to a degree that renders the person incapable of safely driving; or

(6) there is any amount of a drug, substance, or compound in the person's breath, blood, or urine resulting from the unlawful use or consumption of cannabis listed in the Cannabis Control Act, a controlled substance listed in the Illinois Controlled Substances Act, or an intoxicating compound listed in the Use of Intoxicating Compounds Act.

(b) The fact that any person charged with violating this Section is or has been legally entitled to use alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof, shall not constitute a defense against any charge of violating this Section.

(c) Except as provided under paragraphs (c-3), (c-4), and (d) of this Section, every person convicted of violating this Section or a similar provision of a local ordinance, shall be guilty of a Class A misdemeanor and, in addition to any other criminal or administrative action, for any second conviction of violating this Section or a similar provision of a law of another state or local ordinance committed within 5 years of a previous violation of this Section or a similar provision of a local ordinance shall be mandatorily sentenced to a minimum of 5 days of imprisonment or assigned to a minimum of 30 days of community service as may be determined by the court. Every person convicted of violating

this Section or a similar provision of a local ordinance shall be subject to an additional mandatory minimum fine of \$500 and an additional mandatory 5 days of community service in a program benefiting children if the person committed a violation of paragraph (a) or a similar provision of a local ordinance while transporting a person under age 16. Every person convicted a second time for violating this Section or a similar provision of a local ordinance within 5 years of a previous violation of this Section or a similar provision of a law of another state or local ordinance shall be subject to an additional mandatory minimum fine of \$500 and an additional 10 days of mandatory community service in a program benefiting children if the current offense was committed while transporting a person under age 16. The imprisonment or assignment under this subsection shall not be subject to suspension nor shall the person be eligible for probation in order to reduce the sentence or assignment.

(c-1) (1) A person who violates this Section during a period in which his or her driving privileges are revoked or suspended, where the revocation or suspension was for a violation of this Section, Section 11-501.1, paragraph (b) of Section 11-401, or Section 9-3 of the Criminal Code of 1961 is guilty of a Class 4 felony.

(2) A person who violates this Section a third time during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for a violation of this Section, Section 11-501.1, paragraph (b) of Section 11-401, or Section 9-3 of the Criminal Code of 1961 is guilty of a Class 3 felony.

(3) A person who violates this Section a fourth or subsequent time during a period in which his or her driving privileges are revoked or suspended where the revocation or suspension was for a violation of this Section, Section 11-501.1, paragraph (b) of Section 11-401, or Section 9-3 of the Criminal Code of 1961 is guilty of a Class 2 felony.

(c-2) (Blank).

(c-3) Every person convicted of violating this Section or a similar provision of a local ordinance who had a child under age 16 in the vehicle at the time of the offense shall have his or her punishment under this Act enhanced by 2 days of imprisonment for a first offense, 10 days of imprisonment for a second offense, 30 days of imprisonment for a third offense, and 90 days of imprisonment for a fourth or subsequent offense, in addition to the fine and community service required under subsection (c) and the possible imprisonment required under subsection (d). The imprisonment or assignment under this subsection shall not be subject to suspension nor shall the person be eligible for probation in order to reduce the sentence or assignment.

(c-4) When a person is convicted of violating Section 11-501 of this Code or a similar provision of a local ordinance, the following penalties apply when his or her blood, breath, or urine was .16 or more based on the definition of blood, breath, or urine units in Section 11-501.2 or when that person is convicted of violating this Section while transporting a child under the age of 16:

(1) A person who is convicted of violating subsection (a) of Section 11-501 of this Code a first time, in addition to any other penalty that may be imposed under subsection (c), is subject to a mandatory minimum of 100 hours of community service and a minimum fine of \$500.

(2) A person who is convicted of violating subsection (a) of Section 11-501 of this Code a second time within 10 years, in addition to any other penalty that may be imposed under subsection (c), is subject to a mandatory minimum of 2 days of imprisonment and a minimum fine of \$1,250.

(3) A person who is convicted of violating subsection (a) of Section 11-501 of this Code a third time within 20 years is guilty of a Class 4 felony and, in addition to any other penalty that may be imposed under subsection (c), is subject to a mandatory minimum of 90 days of imprisonment and a minimum fine of \$2,500.

(4) A person who is convicted of violating this subsection (c-4) a fourth or subsequent time is guilty of a Class 2 felony and, in addition to any other penalty that may be imposed under subsection (c), is not eligible for a sentence of probation or conditional discharge and is subject to a minimum fine of \$2,500.

(d) (1) Every person convicted of committing a violation of this Section shall be guilty of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof if:

(A) the person committed a violation of this Section, or a similar provision of a law of another state or a local ordinance when the cause of action is the same as or substantially similar to this Section, for the third or subsequent time;

(B) the person committed a violation of paragraph (a) while driving a school bus with children on board;

(C) the person in committing a violation of paragraph (a) was involved in a motor

vehicle accident that resulted in great bodily harm or permanent disability or disfigurement to another, when the violation was a proximate cause of the injuries;

(D) the person committed a violation of paragraph (a) for a second time and has been previously convicted of violating Section 9-3 of the Criminal Code of 1961 relating to reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds as an element of the offense or the person has previously been convicted under subparagraph (C) or subparagraph (F) of this paragraph (1);

(E) the person, in committing a violation of paragraph (a) while driving at any speed in a school speed zone at a time when a speed limit of 20 miles per hour was in effect under subsection (a) of Section 11-605 of this Code, was involved in a motor vehicle accident that resulted in bodily harm, other than great bodily harm or permanent disability or disfigurement, to another person, when the violation of paragraph (a) was a proximate cause of the bodily harm; or

(F) the person, in committing a violation of paragraph (a), was involved in a motor vehicle, snowmobile, all-terrain vehicle, or watercraft accident that resulted in the death of another person, when the violation of paragraph (a) was a proximate cause of the death.

(2) Except as provided in this paragraph (2), aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof is a Class 4 felony. For a violation of subparagraph (C) of paragraph (1) of this subsection (d), the defendant, if sentenced to a term of imprisonment, shall be sentenced to not less than one year nor more than 12 years. Aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof as defined in subparagraph (F) of paragraph (1) of this subsection (d) is a Class 2 felony, for which the defendant, if sentenced to a term of imprisonment, shall be sentenced to: (A) a term of imprisonment of not less than 3 years and not more than 14 years if the violation resulted in the death of one person; or (B) a term of imprisonment of not less than 6 years and not more than 28 years if the violation resulted in the deaths of 2 or more persons. For any prosecution under this subsection (d), a certified copy of the driving abstract of the defendant shall be admitted as proof of any prior conviction.

(e) After a finding of guilt and prior to any final sentencing, or an order for supervision, for an offense based upon an arrest for a violation of this Section or a similar provision of a local ordinance, individuals shall be required to undergo a professional evaluation to determine if an alcohol, drug, or intoxicating compound abuse problem exists and the extent of the problem, and undergo the imposition of treatment as appropriate. Programs conducting these evaluations shall be licensed by the Department of Human Services. The cost of any professional evaluation shall be paid for by the individual required to undergo the professional evaluation.

(e-1) Any person who is found guilty of or pleads guilty to violating this Section, including any person receiving a disposition of court supervision for violating this Section, may be required by the Court to attend a victim impact panel offered by, or under contract with, a County State's Attorney's office, a probation and court services department, Mothers Against Drunk Driving, or the Alliance Against Intoxicated Motorists. All costs generated by the victim impact panel shall be paid from fees collected from the offender or as may be determined by the court.

(f) Every person found guilty of violating this Section, whose operation of a motor vehicle while in violation of this Section proximately caused any incident resulting in an appropriate emergency response, shall be liable for the expense of an emergency response as provided under Section 5-5-3 of the Unified Code of Corrections.

(g) The Secretary of State shall revoke the driving privileges of any person convicted under this Section or a similar provision of a local ordinance.

(h) Every person sentenced under paragraph (2) or (3) of subsection (c-1) of this Section or subsection (d) of this Section and who receives a term of probation or conditional discharge shall be required to serve a minimum term of either 60 days community service or 10 days of imprisonment as a condition of the probation or conditional discharge. This mandatory minimum term of imprisonment or assignment of community service shall not be suspended and shall not be subject to reduction by the court.

(i) The Secretary of State shall require the use of ignition interlock devices on all vehicles owned by an individual who has been convicted of a second or subsequent offense of this Section or a similar provision of a local ordinance. The Secretary shall establish by rule and regulation the procedures for certification and use of the interlock system.

(j) In addition to any other penalties and liabilities, a person who is found guilty of or pleads guilty

to violating this Section, including any person placed on court supervision for violating this Section, shall be fined ~~\$500~~ ~~\$100~~, payable to the circuit clerk, who shall distribute the money as follows: 20% to the law enforcement agency that made the arrest and 80% shall be forwarded to the State Treasurer for deposit into the General Revenue Fund. If the person has been previously convicted of violating this Section or a similar provision of a local ordinance, the fine shall be ~~\$1,000~~ ~~\$200~~. In the event that more than one agency is responsible for the arrest, the amount payable to law enforcement agencies ~~\$100 or \$200~~ shall be shared equally. Any moneys received by a law enforcement agency under this subsection (j) shall be used to purchase law enforcement equipment that will assist in the prevention of alcohol related criminal violence throughout the State. This shall include, but is not limited to, in-car video cameras, radar and laser speed detection devices, and alcohol breath testers. Any moneys received by the Department of State Police under this subsection (j) shall be deposited into the State Police DUI Fund and shall be used to purchase law enforcement equipment that will assist in the prevention of alcohol related criminal violence throughout the State.

(k) The Secretary of State Police DUI Fund is created as a special fund in the State treasury. All moneys received by the Secretary of State Police under subsection (j) of this Section shall be deposited into the Secretary of State Police DUI Fund and, subject to appropriation, shall be used to purchase law enforcement equipment to assist in the prevention of alcohol related criminal violence throughout the State.

(Source: P.A. 92-248, eff. 8-3-01; 92-418, eff. 8-17-01; 92-420, eff. 8-17-01; 92-429, eff. 1-1-02; 92-431, eff. 1-1-02; 92-651, eff. 7-11-02; 93-156, eff. 1-1-04; 93-213, eff. 7-18-03; 93-584, eff. 8-22-03; revised 8-27-03.)

ARTICLE 35

Section 35-1. Short title. This Article may be cited as the Tax Shelter Voluntary Compliance Law, and references in this Article to "this Law" mean this Article.

Section 35-5. Tax Shelter Voluntary Compliance Program.

(a) In general. The Department of Revenue shall establish and administer a tax shelter voluntary compliance program as provided in this Section for eligible taxpayers subject to tax under the Illinois Income Tax Act. The tax shelter voluntary compliance program shall be conducted from October 15, 2004 to January 31, 2005 and shall apply to tax liabilities under Section 201 of the Illinois Income Tax Act attributable to the use of tax avoidance transactions for taxable years beginning before January 1, 2004. The Department shall adopt rules, issue forms and instructions, and take such other actions as it deems necessary to implement the provisions of this Law. Any correspondence mailed by the Department to a taxpayer at the taxpayer's last known address outlining the tax shelter voluntary compliance program constitutes a "contact" within the meaning of Sections 1005(b)(6) and 1005(c) of the Illinois Income Tax Act.

(b) Election. An eligible taxpayer that meets the requirements of subsection (c) of this Section with respect to any taxable year to which this Law applies may elect to participate in the tax shelter voluntary compliance program under either method for any particular tax avoidance transaction period. Such election shall be made separately for each taxable year and in the form and manner prescribed by the Department, and once made shall be irrevocable.

(1) Voluntary compliance without appeal. If an eligible taxpayer elects to

participate under this paragraph, then: (i) the Department shall abate and not seek to collect any penalty that may be applicable to the underreporting or underpayment of Illinois income tax attributable to the use of tax avoidance transactions for such taxable year, (ii) except as otherwise provided in this Law, the Department shall not seek civil or criminal prosecution against the taxpayer for such taxable year with respect to tax avoidance transactions, and (iii) the taxpayer may not file a claim for credit or refund with respect to the tax avoidance transaction for such taxable year. Nothing in this subsection shall preclude a taxpayer from filing a claim for credit or refund for the same taxable year in which a tax avoidance transaction was reported if such credit or refund is not attributable to the tax avoidance transaction. No penalty may be waived or abated under this Law if the penalty imposed related to an amount of Illinois income tax assessed prior to October 15, 2004.

(2) Voluntary compliance with appeal. If an eligible taxpayer elects to participate under this paragraph, then: (i) the Department shall abate and not seek to collect the penalties imposed under Sections 1005(b) and 1005(c) of the Illinois Income Tax Act with respect to such taxable year, (ii) except as otherwise provided in this Act, the Department shall not seek

civil or criminal prosecution against the taxpayer for such taxable year with respect to tax avoidance transactions, and (iii) the taxpayer may file a claim for credit or refund as provided in the Illinois Income Tax Act with respect to such taxable year. Notwithstanding Section 909(e) of the Illinois Income Tax Act, the taxpayer may not file a written protest until after either of the following: (i) the Department issues a notice of denial, or (ii) the earlier of (1) the date which is 180 days after the date of a final determination by the Internal Revenue Service with respect to the transactions at issue, or (2) the date that is 3 years after the date the claim for refund was filed or one year after full payment of all tax, including penalty and interest. No penalty may be waived or abated under this Act if the penalty imposed relates to an amount of Illinois income tax assessed prior to October 15, 2004.

(c) Eligible taxpayer. The tax shelter voluntary compliance program applies to any taxpayer who, during the period from October 15, 2004 to January 31, 2005, does both of the following:

(1) Files an amended return for the taxable year for which the taxpayer used a tax avoidance transaction to under report the taxpayer's Illinois income tax liability, reporting the total Illinois net income and tax for such taxable year computed without regard to any tax avoidance transactions;

(2) Makes full payment of the additional Illinois income tax and interest due for such taxable year that is attributable to the use of the tax avoidance transaction (not including a payment made under protest as provided in Section 2a.1 of the State Officers and Employees Money Disposition Act (30 ILCS 230/2a.1));

For purposes of this subsection (c), if the Department subsequently determines that the correct amount of Illinois income tax was not paid for the taxable year, then the penalty relief under this Section shall not apply to any portion of the underpayment attributable to a tax avoidance transaction not paid to the State.

Section 35-10. "Tax avoidance transaction" defined. For purposes of this Law, the term "tax avoidance transaction" means a plan or arrangement devised for the principal purpose of avoiding federal income tax. Tax avoidance transactions include, but are not limited to, "listed transactions" as defined in Treasury Regulations Section 1.6011-4(b)(2).

Section 35-15. Use of evidence of participation in the program. The fact of a taxpayer's participation in the tax shelter voluntary compliance program shall not be considered evidence that the taxpayer in fact engaged in a tax avoidance transaction.

Section 35-90. The Illinois Income Tax Act is amended by changing Sections 501, 905, 1001, 1002, and 1005 and by adding Sections 1007, 1008, 1405.5, and 1405.6 as follows:

(35 ILCS 5/501) (from Ch. 120, par. 5-501)

Sec. 501. Notice or Regulations Requiring Records, Statements and Special Returns.

(a) In general. Every person liable for any tax imposed by this Act shall keep such records, render such statements, make such returns and notices, and comply with such rules and regulations as the Department may from time to time prescribe. Whenever in the judgment of the Director it is necessary, he may require any person, by notice served upon such person or by regulations, to make such returns and notices, render such statements, or keep such records, as the Director deems sufficient to show whether or not such person is liable for tax under this Act.

(b) Reportable transactions. For each taxable year in which a taxpayer is required to make a disclosure statement under Treasury Regulations Section 1.6011-4 (26 CFR 1.6011-4) (including any taxpayer that is a member of a consolidated group required to make such disclosure) with respect to a reportable transaction (including a listed transaction) in which the taxpayer participated in a taxable year for which a return is required under Section 502 of this Act, such taxpayer shall file a copy of such disclosure with the Department. Disclosure under this subsection is required to be made by any taxpayer that is a member of a unitary business group that includes any person required to make a disclosure statement under Treasury Regulations Section 1.6011-4. Disclosure under this subsection is required with respect to any transaction entered into after February 28, 2000 that becomes a listed transaction at any time, and shall be made in the manner prescribed by the Department. With respect to transactions in which the taxpayer participated for taxable years ending before December 31, 2004, disclosure shall be made by the due date (including extensions) of the first return required under Section 502 of this Act due after the effective date of this amendatory Act of the 93rd General

Assembly. With respect to transactions in which the taxpayer participated for taxable years ending on and after December 31, 2004, disclosure shall be made in the time and manner prescribed in Treasury Regulations Section 1.6011-4(e). Notwithstanding the above, no disclosure is required for transactions entered into after February 28, 2000 and before January 1, 2005 (i) if the taxpayer has filed an amended Illinois income tax return which reverses the tax benefits of the potential tax avoidance transaction, or (ii) as a result of a federal audit the Internal Revenue Service has determined the tax treatment of the transaction and an Illinois amended return has been filed to reflect the federal treatment.

(Source: P.A. 76-261.)

(35 ILCS 5/905) (from Ch. 120, par. 9-905)

Sec. 905. Limitations on Notices of Deficiency.

(a) In general. Except as otherwise provided in this Act:

(1) A notice of deficiency shall be issued not later than 3 years after the date the return was filed, and

(2) No deficiency shall be assessed or collected with respect to the year for which the return was filed unless such notice is issued within such period.

(b) Substantial omission of items.

(1) Omission of more than 25% of income. If the taxpayer omits from base income an amount properly includible therein which is in excess of 25% of the amount of base income stated in the return, a notice of deficiency may be issued not later than 6 years after the return was filed. For purposes of this paragraph, there shall not be taken into account any amount which is omitted in the return if such amount is disclosed in the return, or in a statement attached to the return, in a manner adequate to apprise the Department of the nature and the amount of such item.

(2) Reportable transactions. If a taxpayer fails to include on any return or statement for any taxable year any information with respect to a reportable transaction, as required under Section 501(b) of this Act, a notice of deficiency may be issued not later than 6 years after the return is filed with respect to the taxable year in which the taxpayer participated in the reportable transaction and said deficiency is limited to the non-disclosed item.

(c) No return or fraudulent return. If no return is filed or a false and fraudulent return is filed with intent to evade the tax imposed by this Act, a notice of deficiency may be issued at any time.

(d) Failure to report federal change. If a taxpayer fails to notify the Department in any case where notification is required by Section 304(c) or 506(b), or fails to report a change or correction which is treated in the same manner as if it were a deficiency for federal income tax purposes, a notice of deficiency may be issued (i) at any time or (ii) on or after August 13, 1999, at any time for the taxable year for which the notification is required or for any taxable year to which the taxpayer may carry an Article 2 credit, or a Section 207 loss, earned, incurred, or used in the year for which the notification is required; provided, however, that the amount of any proposed assessment set forth in the notice shall be limited to the amount of any deficiency resulting under this Act from the recomputation of the taxpayer's net income, Article 2 credits, or Section 207 loss earned, incurred, or used in the taxable year for which the notification is required after giving effect to the item or items required to be reported.

(e) Report of federal change.

(1) Before August 13, 1999, in any case where notification of an alteration is given as required by Section 506(b), a notice of deficiency may be issued at any time within 2 years after the date such notification is given, provided, however, that the amount of any proposed assessment set forth in such notice shall be limited to the amount of any deficiency resulting under this Act from recomputation of the taxpayer's net income, net loss, or Article 2 credits for the taxable year after giving effect to the item or items reflected in the reported alteration.

(2) On and after August 13, 1999, in any case where notification of an alteration is given as required by Section 506(b), a notice of deficiency may be issued at any time within 2 years after the date such notification is given for the taxable year for which the notification is given or for any taxable year to which the taxpayer may carry an Article 2 credit, or a Section 207 loss, earned, incurred, or used in the year for which the notification is given, provided, however, that the amount of any proposed assessment set forth in such notice shall be limited to the amount of any deficiency resulting under this Act from recomputation of the taxpayer's net income, Article 2 credits, or Section 207 loss earned, incurred, or used in the taxable year for which the notification is given after giving effect to the item or items reflected in the reported alteration.

(f) Extension by agreement. Where, before the expiration of the time prescribed in this Section for the issuance of a notice of deficiency, both the Department and the taxpayer shall have consented in

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writing to its issuance after such time, such notice may be issued at any time prior to the expiration of the period agreed upon. In the case of a taxpayer who is a partnership, Subchapter S corporation, or trust and who enters into an agreement with the Department pursuant to this subsection on or after January 1, 2003, a notice of deficiency may be issued to the partners, shareholders, or beneficiaries of the taxpayer at any time prior to the expiration of the period agreed upon. Any proposed assessment set forth in the notice, however, shall be limited to the amount of any deficiency resulting under this Act from recomputation of items of income, deduction, credits, or other amounts of the taxpayer that are taken into account by the partner, shareholder, or beneficiary in computing its liability under this Act. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

(g) Erroneous refunds. In any case in which there has been an erroneous refund of tax payable under this Act, a notice of deficiency may be issued at any time within 2 years from the making of such refund, or within 5 years from the making of such refund if it appears that any part of the refund was induced by fraud or the misrepresentation of a material fact, provided, however, that the amount of any proposed assessment set forth in such notice shall be limited to the amount of such erroneous refund.

Beginning July 1, 1993, in any case in which there has been a refund of tax payable under this Act attributable to a net loss carryback as provided for in Section 207, and that refund is subsequently determined to be an erroneous refund due to a reduction in the amount of the net loss which was originally carried back, a notice of deficiency for the erroneous refund amount may be issued at any time during the same time period in which a notice of deficiency can be issued on the loss year creating the carryback amount and subsequent erroneous refund. The amount of any proposed assessment set forth in the notice shall be limited to the amount of such erroneous refund.

(h) Time return deemed filed. For purposes of this Section a tax return filed before the last day prescribed by law (including any extension thereof) shall be deemed to have been filed on such last day.

(i) Request for prompt determination of liability. For purposes of subsection (a)(1), in the case of a tax return required under this Act in respect of a decedent, or by his estate during the period of administration, or by a corporation, the period referred to in such Subsection shall be 18 months after a written request for prompt determination of liability is filed with the Department (at such time and in such form and manner as the Department shall by regulations prescribe) by the executor, administrator, or other fiduciary representing the estate of such decedent, or by such corporation, but not more than 3 years after the date the return was filed. This subsection shall not apply in the case of a corporation unless:

- (1) (A) such written request notifies the Department that the corporation contemplates dissolution at or before the expiration of such 18-month period, (B) the dissolution is begun in good faith before the expiration of such 18-month period, and (C) the dissolution is completed;
- (2) (A) such written request notifies the Department that a dissolution has in good faith been begun, and (B) the dissolution is completed; or
- (3) a dissolution has been completed at the time such written request is made.

(j) Withholding tax. In the case of returns required under Article 7 of this Act (with respect to any amounts withheld as tax or any amounts required to have been withheld as tax) a notice of deficiency shall be issued not later than 3 years after the 15th day of the 4th month following the close of the calendar year in which such withholding was required.

(k) Penalties for failure to make information reports. A notice of deficiency for the penalties provided by Subsection 1405.1(c) of this Act may not be issued more than 3 years after the due date of the reports with respect to which the penalties are asserted.

(l) Penalty for failure to file withholding returns. A notice of deficiency for penalties provided by Section 1004 of this Act for taxpayer's failure to file withholding returns may not be issued more than three years after the 15th day of the 4th month following the close of the calendar year in which the withholding giving rise to taxpayer's obligation to file those returns occurred.

(m) Transferee liability. A notice of deficiency may be issued to a transferee relative to a liability asserted under Section 1405 during time periods defined as follows:

- 1) Initial Transferee. In the case of the liability of an initial transferee, up to 2 years after the expiration of the period of limitation for assessment against the transferor, except that if a court proceeding for review of the assessment against the transferor has begun, then up to 2 years after the return of the certified copy of the judgment in the court proceeding.
- 2) Transferee of Transferee. In the case of the liability of a transferee, up to 2 years after the expiration of the period of limitation for assessment against the preceding transferee,

but not more than 3 years after the expiration of the period of limitation for assessment against the initial transferor; except that if, before the expiration of the period of limitation for the assessment of the liability of the transferee, a court proceeding for the collection of the tax or liability in respect thereof has been begun against the initial transferor or the last preceding transferee, as the case may be, then the period of limitation for assessment of the liability of the transferee shall expire 2 years after the return of the certified copy of the judgment in the court proceeding.

(n) Notice of decrease in net loss. On and after the effective date of this amendatory Act of the 92nd General Assembly, no notice of deficiency shall be issued as the result of a decrease determined by the Department in the net loss incurred by a taxpayer under Section 207 of this Act unless the Department has notified the taxpayer of the proposed decrease within 3 years after the return reporting the loss was filed or within one year after an amended return reporting an increase in the loss was filed, provided that in the case of an amended return, a decrease proposed by the Department more than 3 years after the original return was filed may not exceed the increase claimed by the taxpayer on the original return.

(Source: P.A. 91-541, eff. 8-13-99; 92-846, eff. 8-23-02.)

(35 ILCS 5/1001) (from Ch. 120, par. 10-1001)

Sec. 1001. Failure to File Tax Returns.

(a) Failure to file tax return. In case of failure to file any tax return required under this Act on the date prescribed therefor, (determined with regard to any extensions of time for filing) there shall be added as a penalty the amount prescribed by Section 3-3 of the Uniform Penalty and Interest Act.

(b) Failure to disclose reportable transaction. Any taxpayer who fails to comply with the requirements of Section 501(b) of this Act shall pay a penalty in the amount determined under this subsection. Such penalty shall be deemed assessed upon the date of filing of the return for the taxable year in which the taxpayer participates in the reportable transaction. A taxpayer shall not be considered to have complied with the requirements of Section 501(b) of this Act unless the disclosure statement filed with the Department includes all of the information required to be disclosed with respect to a reportable transaction pursuant to Treasury Regulations Section 1.6011-4 (26 CFR 1.6011-4) and regulations promulgated by the Department under Section 501(b) of this Act.

(1) Amount of penalty. Except as provided in paragraph (2), the amount of the penalty under this subsection shall be \$15,000 for each failure to comply with the requirements of Section 501(b).

(2) Increase in penalty for listed transactions. In the case of a failure to comply with the requirements of Section 501(b) with respect to a "listed transaction", the penalty under this subsection shall be \$30,000 for each failure.

(3) Authority to rescind penalty. The Department may rescind all or any portion of any penalty imposed by this subsection with respect to any violation, if any of the following apply:

(A) It is determined that failure to comply did not jeopardize the best interests of the State and is not due to any willful neglect or any intent not to comply;

(B) The person on whom the penalty is imposed has a history of complying with the requirements of this Act;

(C) It is shown that the violation is due to an unintentional mistake of fact;

(D) Imposing the penalty would be against equity and good conscience;

(E) Rescinding the penalty would promote compliance with the requirements of this Act and effective tax administration; or

(F) The taxpayer can show that there was a reasonable cause for the failure to disclose and that the taxpayer acted in good faith.

A determination made under this subparagraph (3) may be reviewed in any administrative or judicial proceeding.

(4) Coordination with other penalties. The penalty imposed by this subsection is in addition to any penalty imposed by this Act or the Uniform Penalty and Interest Act. The doubling of penalties and interest authorized by the Illinois Tax Delinquency Amnesty Act (P.A. 93-26) are not applicable to the reportable penalties under subsection (b).

(c) The total penalty imposed under subsection (b) of this Section with respect to any taxable year shall not exceed 10% of the increase in net income (or reduction in Illinois net loss under Section 207 of this Act) that would result had the taxpayer not participated in any reportable transaction affecting its net income for such taxable year.

(Source: P.A. 87-205.)

(35 ILCS 5/1002) (from Ch. 120, par. 10-1002)

Sec. 1002. Failure to Pay Tax.

(a) Negligence. If any part of a deficiency is due to negligence or intentional disregard of rules and

regulations (but without intent to defraud) there shall be added to the tax as a penalty the amount prescribed by Section 3-5 of the Uniform Penalty and Interest Act.

(b) Fraud. If any part of a deficiency is due to fraud, there shall be added to the tax as a penalty the amount prescribed by Section 3-6 of the Uniform Penalty and Interest Act.

(c) Nonwillful failure to pay withholding tax. If any employer, without intent to evade or defeat any tax imposed by this Act or the payment thereof, shall fail to make a return and pay a tax withheld by him at the time required by or under the provisions of this Act, such employer shall be liable for such taxes and shall pay the same together with the interest and the penalty provided by Sections 3-2 and 3-3, respectively, of the Uniform Penalty and Interest Act and such interest and penalty shall not be charged to or collected from the employee by the employer.

(d) Willful failure to collect and pay over tax. Any person required to collect, truthfully account for, and pay over the tax imposed by this Act who willfully fails to collect such tax or truthfully account for and pay over such tax or willfully attempts in any manner to evade or defeat the tax or the payment thereof, shall, in addition to other penalties provided by law, be liable for the penalty imposed by Section 3-7 of the Uniform Penalty and Interest Act.

(e) Penalties assessable.

(1) In general. Except as otherwise provided in this Act ~~provided in paragraphs (2), (3) and (4)~~, the penalties provided by this Act shall be paid upon

notice and demand and shall be assessed, collected, and paid in the same manner as taxes and any reference in this Act to the tax imposed by this Act shall be deemed also to refer to penalties provided by this Act.

(2) Procedure for assessing certain penalties. For the purposes of Article 9 any penalty under Section 804(a) or Section 1001 shall be deemed assessed upon the filing of the return for the taxable year.

(3) Procedure for assessing the penalty for failure to file withholding returns or annual transmittal forms for wage and tax statements. The penalty imposed by Section 1004 will be asserted by the Department's issuance of a notice of deficiency. If taxpayer files a timely protest, the procedures of Section 908 will be followed. If taxpayer does not file a timely protest, the notice of deficiency will constitute an assessment pursuant to subsection (c) of Section 904.

(4) Assessment of penalty under Section 1005(b). The penalty imposed under Section 1005(b) shall be deemed assessed upon the assessment of the tax to which such penalty relates and shall be collected and paid on notice and demand in the same manner as the tax.

(f) Determination of deficiency. For purposes of subsections (a) and (b), the amount shown as the tax by the taxpayer upon his return shall be taken into account in determining the amount of the deficiency only if such return was filed on or before the last day prescribed by law for the filing of such return, including any extensions of the time for such filing.

(Source: P.A. 89-379, eff. 1-1-96.)

(35 ILCS 5/1005) (from Ch. 120, par. 10-1005)

Sec. 1005. Penalty for Underpayment of Tax.

(a) In general. If any amount of tax required to be shown on a return prescribed by this Act is not paid on or before the date required for filing such return (determined without regard to any extension of time to file), a penalty shall be imposed in the manner and at the rate prescribed by the Uniform Penalty and Interest Act.

(b) Reportable transaction penalty. If a taxpayer has a reportable transaction understatement for any taxable year, there shall be added to the tax an amount equal to 20% of the amount of that understatement. This penalty shall be deemed assessed upon the assessment of the tax to which such penalty relates and shall be collected and paid on notice and demand in the same manner as the tax.

(1) Reportable transaction understatement. For purposes of this Section, the term "reportable transaction understatement" means the sum of subparagraphs (A) and (B):

(A) The product of (i) the amount of the increase (if any) in Illinois net income, as determined by reference to the amount of post-apportioned income that results from a difference between the proper tax treatment of an item to which this subsection applies and the taxpayer's treatment of that item (as shown on the taxpayer's return of tax), including an amended return filed prior to the date the taxpayer is first contacted by the Department regarding the examination of the return, and (ii) the applicable tax rates under Section 201 of this Act.

(B) Special rules in the case of carrybacks and carryovers. The penalty for an understatement of income attributable to a reportable transaction applies to any portion of an understatement for a year to which a loss, deduction, or credit is carried that is attributable to a reportable transaction for that year in which the carryback or carryover of the loss, deduction, or credit arises (the "loss or credit

year").

(2) Items to which subsection applies. This subsection shall apply to any item which is attributable to either of the following: (i) any listed transaction as defined in Treasury Regulations Section 1.6011-4, and (ii) any reportable transaction as defined in Treasury Regulations Section 1.6011-4 (other than a listed transaction) if a significant purpose of the transaction is the avoidance or evasion of federal income tax.

(3) Subsection (b) shall be applied by substituting "30%" for "20%" with respect to the portion of any reportable transaction understatement with respect to which the requirements of (4)(B)(i) of this subsection are not met.

(4) Reasonable cause exception.

(A) In general. No penalty shall be imposed under this subsection with respect to any portion of a reportable transaction understatement if it is shown that there was a reasonable cause for such portion and that the taxpayer acted in good faith with respect to such portion.

(B) Special rules. Subparagraph (A) does not apply to any reportable transaction (including listed transaction) unless all of the following requirements are met:

(i) The relevant facts affecting the tax treatment of the item are adequately disclosed in accordance with Section 501(b) of this Act. A taxpayer failing to adequately disclose in accordance with Section 501(b) shall be treated as meeting the requirements of this subparagraph (i) if the penalty for that failure was rescinded under Section 1001(b)(3) of this Act;

(ii) There is or was substantial authority for such treatment; and

(iii) The taxpayer reasonably believed that such treatment was more likely than not the proper treatment.

(C) Rules relating to reasonable belief. For purposes of subparagraph (B), a taxpayer shall be treated as having a reasonable belief with respect to the tax treatment of an item only if such belief meets the requirements of this subparagraph (C):

(i) Such belief must be based on the facts and law that exist at the time the return of tax that includes that tax treatment is filed;

(ii) Such belief must relate solely to the taxpayer's chances of success on the merits of that treatment and does not take into account the possibility that the return will not be audited, that the treatment will not be raised on audit, or that the treatment will be resolved through settlement if it is raised; and

(iii) Such belief is not solely based on the opinion of a disqualified tax advisor or on a disqualified opinion.

(5) Definitions.

(A) Disqualified tax advisor. The term "disqualified tax advisor" is a tax advisor that meets any of the following conditions:

(I) Is a material advisor who participates in the organization, management, promotion, or sale of the transaction or who is related (within the meaning of Sections 267(b) or 707(b)(1) of the Internal Revenue Code) to any person who so participates;

(II) Is compensated directly or indirectly by a material advisor with respect to the transaction;

(III) Has a fee arrangement with respect to the transaction that is contingent on all or part of the intended tax benefits from the transaction being sustained; or

(IV) As determined under regulations prescribed by either the Secretary of the Treasury for federal income tax purposes or the Department, has a continuing financial interest with respect to the transaction.

(B) Disqualified opinion. The term "disqualified opinion" means an opinion that meets any of the following conditions:

(I) Is based on unreasonable factual or legal assumptions (including assumptions as to future events);

(II) Unreasonably relies on representations, statements, findings, or agreements of the taxpayer or any other person;

(III) Does not identify and consider all relevant facts; or

(IV) Fails to meet any other requirement as either the Secretary of the Treasury for federal income tax purposes or the Department may prescribe.

(C) Material Advisor. The term "material advisor" shall have substantially the same meaning as the same term is defined under Treasury Regulations Section 301.6112-1, (26 CFR 301.6112-1) and shall include any person that is a material advisor for federal income tax purposes under such regulation.

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(6) Effective date. This subsection shall apply to taxable years ending on and after December 31, 2004, except that a reportable transaction understatement shall include an understatement (as determined under paragraph (1)) with respect to any taxable year for which the limitations period on assessment has not expired as of January 1, 2005 that is attributable to a transaction which the taxpayer has entered into after February 28, 2000 and before December 31, 2004 that becomes a listed transaction (as defined in Treasury Regulations Section 1.6011-4(b)(2) at any time.

(c) 100% interest penalty. If a taxpayer has been contacted by the Internal Revenue Service or the Department regarding the use of a potential tax avoidance transaction with respect to a taxable year and has a deficiency with respect to such taxable year or years, there shall be added to the tax attributable to the potential tax avoidance transaction (determined as described in subsection (b)(1) of Section 1005) an amount equal to 100% of the interest assessed under the Uniform Penalty and Interest Act (determined without regard to subsection (f) of Section 3-2 of such Act) for the period beginning on the last date prescribed by law for the payment of such tax and ending on the date of the notice of deficiency. Such penalty shall be deemed assessed upon the assessment of the interest to which such penalty relates and shall be collected and paid in the same manner as such interest. The penalty imposed by this subsection is in addition to any penalty imposed by this Act or the Uniform Penalty and Interest Act. For purposes of this subsection and subsection (d) of this Section, the term "potential tax avoidance transaction" means any tax shelter as defined in Section 6111 of the Internal Revenue Code. This subsection shall apply to taxable years ending on and after December 31, 2004, except that the penalty may also be imposed with respect to any taxable year for which the limitations period on assessment has not expired as of January 1, 2005 that is attributable to a transaction in which the taxpayer has entered into after February 28, 2000 and before December 31, 2004, which transaction becomes a listed transaction (as defined in Treasury Regulations Section 1.6011-4(b)(2)) at any time.

(d) 150% interest rate. For taxable years ending on and after July 1, 2002, for any notice of deficiency issued before the taxpayer is contacted by the Internal Revenue Service or the Department regarding a potential tax avoidance transaction, the taxpayer is subject to interest as provided under Section 3-2 of the Uniform Penalty and Interest Act, but with respect to any deficiency attributable to a potential tax avoidance transaction, the taxpayer is subject to interest at a rate of 150% of the otherwise applicable rate.

(e) Coordination with other penalties. Except as provided in regulations, the penalties imposed by this Section are in addition to any other penalty imposed by this Act or the Uniform Penalty and Interest Act. The doubling of penalties and interest authorized by the Illinois Tax Delinquency Amnesty Act (P.A. 93-26), are not applicable to the reportable transaction penalties and interest under subsections (b), (c), and (d).

The provisions of this Section shall apply to all taxable years ending on or after January 1, 1986.
(Source: P.A. 87-205.)

(35 ILCS 5/1007 new)

Sec. 1007. Failure to register tax shelter or maintain list.

(a) Penalty Imposed. Any person that fails to comply with the requirements of Section 1405.5 or Section 1405.6 shall incur a penalty as provided in this Section. A person shall not be in compliance with the requirements of Section 1405.5 unless and until the required registration has been filed and contains all of the information required to be included with such registration under Section 6111 of the Internal Revenue Code or such Section 1405.5. A person shall not be in compliance with the requirements of Section 1405.6 unless, at the time the required list is made available to the Department, such list contains all of the information required to be maintained under Section 6112 of the Internal Revenue Code or such Section 1405.6.

(b) Amount of Penalty. The following penalties apply:

(1) In the case of each failure to comply with the requirements of subsection (a), subsection (b), or subsection (e) of Section 1405.5, the penalty shall be \$15,000.

(2) If the failure is with respect to a listed transaction under subsection (c) of Section 1405.5, the penalty shall be \$100,000.

(3) In the case of each failure to comply with the requirements of subsection (a) or subsection (b) of Section 1405.6, the penalty shall be \$15,000.

(4) If the failure is with respect to a listed transaction under subsection (c) of Section 1405.6, the penalty shall be \$100,000.

(c) Authority to rescind penalty. The Director of the Board of Appeals may rescind all or any portion of any penalty imposed by this Section with respect to any violation, if any of the following apply:

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(1) It is determined that failure to comply did not jeopardize the best interests of the State and is not due to any willful neglect or any intent not to comply;

(2) The person on whom the penalty is imposed has a history of complying with the requirements of this Act;

(3) It is shown that the violation is due to an unintentional mistake of fact;

(4) Imposing the penalty would be against equity and good conscience;

(5) Rescinding the penalty would promote compliance with the requirements of this Act and effective tax administration; or

(6) The taxpayer can show that there was reasonable cause for the failure to disclose and that the taxpayer acted in good faith.

(d) Coordination with other penalties. The penalty imposed by this Section is in addition to any penalty imposed by this Act or the Uniform Penalty and Interest Act.

(35 ILCS 5/1008 new)

Sec. 1008. Promoting tax shelters. Except as herein provided, the provisions of Section 6700 of the Internal Revenue Code shall apply for purposes of this Act as if such Section applied to an Illinois deduction, credit, exclusion from income, allocation or apportionment rule, or other Illinois tax benefit. Notwithstanding Section 6700(a) of the Internal Revenue Code, if an activity with respect to which a penalty imposed under Section 6700(a) of the Internal Revenue Code, as applied for purposes of this Act, involves a statement described in Section 6700(a)(2)(A) of the Internal Revenue Code, as applied for purposes of this Act, the amount of the penalty imposed under this Section shall be the greater of \$10,000 or 50% of the gross income received (or to be received) from any person to whom such statement is furnished that is required to file a return under Section 502 of this Act.

(35 ILCS 5/1405.5 new)

Sec. 1405.5. Registration of tax shelters.

(a) Federal tax shelter. Any tax shelter organizer required to register a tax shelter under Section 6111 of the Internal Revenue Code shall send a duplicate of the federal registration information to the Department not later than the day on which registration is required under federal law. Any person required to register under Section 6111 of the Internal Revenue Code who receives a tax registration number from the Secretary of the Treasury shall, within 30 days after request by the Department, file a statement of that registration number.

(b) Additional requirements for listed transactions. In addition to the requirements of subsection (a), for any transactions entered into on or after February 28, 2000 that become listed transactions (as defined under Treasury Regulations Section 1.6011-4) at any time, those transactions shall be registered with the Department (in the form and manner prescribed by the Department) by the later of (i) 60 days after entering into the transaction, (ii) 60 days after the transaction becomes a listed transaction, or (iii) December 31, 2004.

(c) Tax shelters subject to this Section. The provisions of this Section apply to any tax shelter herein described that additionally satisfies any of the following conditions: (1) is organized in this State; (2) is doing business in this State; or (3) is deriving income from sources in this State.

(d) Tax shelter identification number. Any person required to file a return under this Act and required to include on the person's federal tax return a tax shelter identification number pursuant to Section 6111 of the Internal Revenue Code shall furnish such number upon filing of the person's Illinois return.

(35 ILCS 5/1405.6 new)

Sec. 1405.6. Investor lists.

(a) Federal abusive tax shelter. Any person required to maintain a list under Section 6112 of the Internal Revenue Code and Treasury Regulations Section 301.6112-1 with respect to a potentially abusive tax shelter shall furnish such list to the Department not later than the time such list is required to be furnished to the Internal Revenue Service under federal income tax law.

The list required under this Section shall include the same information required with respect to a potentially abusive tax shelter under Treasury Regulations Section 301.6112-1 and any other information as the Department may require.

(b) Additional requirements for listed transactions. For transactions entered into on or after February 28, 2000 that become listed transactions (as defined under Treasury Regulations Section 1.6011-4) at any time, the list shall be furnished to the Department by the later of (i) 60 days after entering into the transaction, (ii) 60 days after the transaction becomes a listed transaction, or (iii) December 31, 2004.

(d) Tax Shelters subject to this Section. The provisions of this Section apply to any tax shelter herein described that additionally satisfies any of the following conditions:

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- (1) Organized in this State;
- (2) Doing Business in this State; or
- (3) Deriving income from sources in this State.

ARTICLE 40

Section 40-5. The Illinois Income Tax Act is amended by changing Section 201 as follows:
(35 ILCS 5/201) (from Ch. 120, par. 2-201)

Sec. 201. Tax Imposed.

(a) In general. A tax measured by net income is hereby imposed on every individual, corporation, trust and estate for each taxable year ending after July 31, 1969 on the privilege of earning or receiving income in or as a resident of this State. Such tax shall be in addition to all other occupation or privilege taxes imposed by this State or by any municipal corporation or political subdivision thereof.

(b) Rates. The tax imposed by subsection (a) of this Section shall be determined as follows, except as adjusted by subsection (d-1):

(1) In the case of an individual, trust or estate, for taxable years ending prior to July 1, 1989, an amount equal to 2 1/2% of the taxpayer's net income for the taxable year.

(2) In the case of an individual, trust or estate, for taxable years beginning prior to July 1, 1989 and ending after June 30, 1989, an amount equal to the sum of (i) 2 1/2% of the taxpayer's net income for the period prior to July 1, 1989, as calculated under Section 202.3, and (ii) 3% of the taxpayer's net income for the period after June 30, 1989, as calculated under Section 202.3.

(3) In the case of an individual, trust or estate, for taxable years beginning after June 30, 1989, an amount equal to 3% of the taxpayer's net income for the taxable year.

(4) (Blank).

(5) (Blank).

(6) In the case of a corporation, for taxable years ending prior to July 1, 1989, an amount equal to 4% of the taxpayer's net income for the taxable year.

(7) In the case of a corporation, for taxable years beginning prior to July 1, 1989 and ending after June 30, 1989, an amount equal to the sum of (i) 4% of the taxpayer's net income for the period prior to July 1, 1989, as calculated under Section 202.3, and (ii) 4.8% of the taxpayer's net income for the period after June 30, 1989, as calculated under Section 202.3.

(8) In the case of a corporation, for taxable years beginning after June 30, 1989, an amount equal to 4.8% of the taxpayer's net income for the taxable year.

(c) Personal Property Tax Replacement Income Tax. Beginning on July 1, 1979 and thereafter, in addition to such income tax, there is also hereby imposed the Personal Property Tax Replacement Income Tax measured by net income on every corporation (including Subchapter S corporations), partnership and trust, for each taxable year ending after June 30, 1979. Such taxes are imposed on the privilege of earning or receiving income in or as a resident of this State. The Personal Property Tax Replacement Income Tax shall be in addition to the income tax imposed by subsections (a) and (b) of this Section and in addition to all other occupation or privilege taxes imposed by this State or by any municipal corporation or political subdivision thereof.

(d) Additional Personal Property Tax Replacement Income Tax Rates. The personal property tax replacement income tax imposed by this subsection and subsection (c) of this Section in the case of a corporation, other than a Subchapter S corporation and except as adjusted by subsection (d-1), shall be an additional amount equal to 2.85% of such taxpayer's net income for the taxable year, except that beginning on January 1, 1981, and thereafter, the rate of 2.85% specified in this subsection shall be reduced to 2.5%, and in the case of a partnership, trust or a Subchapter S corporation shall be an additional amount equal to 1.5% of such taxpayer's net income for the taxable year.

(d-1) Rate reduction for certain foreign insurers. In the case of a foreign insurer, as defined by Section 35A-5 of the Illinois Insurance Code, whose state or country of domicile imposes on insurers domiciled in Illinois a retaliatory tax (excluding any insurer whose premiums from reinsurance assumed are 50% or more of its total insurance premiums as determined under paragraph (2) of subsection (b) of Section 304, except that for purposes of this determination premiums from reinsurance do not include premiums from inter-affiliate reinsurance arrangements), beginning with taxable years ending on or after December 31, 1999, the sum of the rates of tax imposed by subsections (b) and (d) shall be reduced (but not increased) to the rate at which the total amount of tax imposed under this Act, net of all credits allowed under this Act, shall equal (i) the total amount of tax

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that would be imposed on the foreign insurer's net income allocable to Illinois for the taxable year by such foreign insurer's state or country of domicile if that net income were subject to all income taxes and taxes measured by net income imposed by such foreign insurer's state or country of domicile, net of all credits allowed or (ii) a rate of zero if no such tax is imposed on such income by the foreign insurer's state of domicile. For the purposes of this subsection (d-1), an inter-affiliate includes a mutual insurer under common management.

(1) For the purposes of subsection (d-1), in no event shall the sum of the rates of tax imposed by subsections (b) and (d) be reduced below the rate at which the sum of:

(A) the total amount of tax imposed on such foreign insurer under this Act for a taxable year, net of all credits allowed under this Act, plus

(B) the privilege tax imposed by Section 409 of the Illinois Insurance Code, the fire insurance company tax imposed by Section 12 of the Fire Investigation Act, and the fire department taxes imposed under Section 11-10-1 of the Illinois Municipal Code, equals 1.25% for taxable years ending prior to December 31, 2003, or 1.75% for taxable years ending on or after December 31, 2003, of the net taxable premiums written for the taxable year, as described by subsection (1) of Section 409 of the Illinois Insurance Code. This paragraph will in no event increase the rates imposed under subsections (b) and (d).

(2) Any reduction in the rates of tax imposed by this subsection shall be applied first against the rates imposed by subsection (b) and only after the tax imposed by subsection (a) net of all credits allowed under this Section other than the credit allowed under subsection (i) has been reduced to zero, against the rates imposed by subsection (d).

This subsection (d-1) is exempt from the provisions of Section 250.

(e) Investment credit. A taxpayer shall be allowed a credit against the Personal Property Tax Replacement Income Tax for investment in qualified property.

(1) A taxpayer shall be allowed a credit equal to .5% of the basis of qualified

property placed in service during the taxable year, provided such property is placed in service on or after July 1, 1984. There shall be allowed an additional credit equal to .5% of the basis of qualified property placed in service during the taxable year, provided such property is placed in service on or after July 1, 1986, and the taxpayer's base employment within Illinois has increased by 1% or more over the preceding year as determined by the taxpayer's employment records filed with the Illinois Department of Employment Security. Taxpayers who are new to Illinois shall be deemed to have met the 1% growth in base employment for the first year in which they file employment records with the Illinois Department of Employment Security. The provisions added to this Section by Public Act 85-1200 (and restored by Public Act 87-895) shall be construed as declaratory of existing law and not as a new enactment. If, in any year, the increase in base employment within Illinois over the preceding year is less than 1%, the additional credit shall be limited to that percentage times a fraction, the numerator of which is .5% and the denominator of which is 1%, but shall not exceed .5%. The investment credit shall not be allowed to the extent that it would reduce a taxpayer's liability in any tax year below zero, nor may any credit for qualified property be allowed for any year other than the year in which the property was placed in service in Illinois. For tax years ending on or after December 31, 1987, and on or before December 31, 1988, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit years if the taxpayer (i) makes investments which cause the creation of a minimum of 2,000 full-time equivalent jobs in Illinois, (ii) is located in an enterprise zone established pursuant to the Illinois Enterprise Zone Act and (iii) is certified by the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) as complying with the requirements specified in clause (i) and (ii) by July 1, 1986. The Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) shall notify the Department of Revenue of all such certifications immediately. For tax years ending after December 31, 1988, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit years. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, earlier credit shall be applied first.

(2) The term "qualified property" means property which:

(A) is tangible, whether new or used, including buildings and structural components

of buildings and signs that are real property, but not including land or improvements to real property that are not a structural component of a building such as landscaping, sewer lines, local access roads, fencing, parking lots, and other appurtenances;

(B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (e);

(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code;

(D) is used in Illinois by a taxpayer who is primarily engaged in manufacturing, or in mining coal or fluorite, or in retailing; and

(E) has not previously been used in Illinois in such a manner and by such a person as would qualify for the credit provided by this subsection (e) or subsection (f).

(3) For purposes of this subsection (e), "manufacturing" means the material staging and production of tangible personal property by procedures commonly regarded as manufacturing, processing, fabrication, or assembling which changes some existing material into new shapes, new qualities, or new combinations. For purposes of this subsection (e) the term "mining" shall have the same meaning as the term "mining" in Section 613(c) of the Internal Revenue Code. For purposes of this subsection (e), the term "retailing" means the sale of tangible personal property or services rendered in conjunction with the sale of tangible consumer goods or commodities.

(4) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(5) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in Illinois by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(6) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(7) If during any taxable year, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside Illinois within 48 months after being placed in service, the Personal Property Tax Replacement Income Tax for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation and, (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (7), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(8) Unless the investment credit is extended by law, the basis of qualified property shall not include costs incurred after December 31, 2003, except for costs incurred pursuant to a binding contract entered into on or before December 31, 2003.

(9) Each taxable year ending before December 31, 2000, a partnership may elect to pass through to its partners the credits to which the partnership is entitled under this subsection (e) for the taxable year. A partner may use the credit allocated to him or her under this paragraph only against the tax imposed in subsections (c) and (d) of this Section. If the partnership makes that election, those credits shall be allocated among the partners in the partnership in accordance with the rules set forth in Section 704(b) of the Internal Revenue Code, and the rules promulgated under that Section, and the allocated amount of the credits shall be allowed to the partners for that taxable year. The partnership shall make this election on its Personal Property Tax Replacement Income Tax return for that taxable year. The election to pass through the credits shall be irrevocable.

For taxable years ending on or after December 31, 2000, a partner that qualifies its partnership for a subtraction under subparagraph (I) of paragraph (2) of subsection (d) of Section 203 or a shareholder that qualifies a Subchapter S corporation for a subtraction under subparagraph (S) of paragraph (2) of subsection (b) of Section 203 shall be allowed a credit under this subsection (e) equal to its share of the credit earned under this subsection (e) during the taxable year by the partnership or Subchapter S corporation, determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. This paragraph is exempt from the provisions of Section 250.

(f) Investment credit; Enterprise Zone.

(1) A taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for investment in qualified property which is placed in service in an Enterprise

Zone created pursuant to the Illinois Enterprise Zone Act. For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection (f) to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. The credit shall be .5% of the basis for such property. The credit shall be available only in the taxable year in which the property is placed in service in the Enterprise Zone and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. For tax years ending on or after December 31, 1985, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, the credit accruing first in time shall be applied first.

(2) The term qualified property means property which:

(A) is tangible, whether new or used, including buildings and structural components of buildings;

(B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (f);

(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code;

(D) is used in the Enterprise Zone by the taxpayer; and

(E) has not been previously used in Illinois in such a manner and by such a person as would qualify for the credit provided by this subsection (f) or subsection (e).

(3) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(4) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in the Enterprise Zone by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(5) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(6) If during any taxable year, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside the Enterprise Zone within 48 months after being placed in service, the tax imposed under subsections (a) and (b) of this Section for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation, and (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (6), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(g) Jobs Tax Credit; Enterprise Zone and Foreign Trade Zone or Sub-Zone.

(1) A taxpayer conducting a trade or business in an enterprise zone or a High Impact Business designated by the Department of Commerce and Economic Opportunity Community Affairs conducting a trade or business in a federally designated Foreign Trade Zone or Sub-Zone shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section in the amount of \$500 per eligible employee hired to work in the zone during the taxable year.

(2) To qualify for the credit:

(A) the taxpayer must hire 5 or more eligible employees to work in an enterprise zone or federally designated Foreign Trade Zone or Sub-Zone during the taxable year;

(B) the taxpayer's total employment within the enterprise zone or federally designated Foreign Trade Zone or Sub-Zone must increase by 5 or more full-time employees beyond the total employed in that zone at the end of the previous tax year for which a jobs tax credit under this Section was taken, or beyond the total employed by the taxpayer as of December 31, 1985, whichever is later; and

(C) the eligible employees must be employed 180 consecutive days in order to be deemed hired for purposes of this subsection.

(3) An "eligible employee" means an employee who is:

(A) Certified by the Department of Commerce and ~~Economic Opportunity Community Affairs~~ as "eligible for services"

pursuant to regulations promulgated in accordance with Title II of the Job Training Partnership Act, Training Services for the Disadvantaged or Title III of the Job Training Partnership Act, Employment and Training Assistance for Dislocated Workers Program.

(B) Hired after the enterprise zone or federally designated Foreign Trade Zone or Sub-Zone was designated or the trade or business was located in that zone, whichever is later.

(C) Employed in the enterprise zone or Foreign Trade Zone or Sub-Zone. An employee is employed in an enterprise zone or federally designated Foreign Trade Zone or Sub-Zone if his services are rendered there or it is the base of operations for the services performed.

(D) A full-time employee working 30 or more hours per week.

(4) For tax years ending on or after December 31, 1985 and prior to December 31, 1988, the credit shall be allowed for the tax year in which the eligible employees are hired. For tax years ending on or after December 31, 1988, the credit shall be allowed for the tax year immediately following the tax year in which the eligible employees are hired. If the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, earlier credit shall be applied first.

(5) The Department of Revenue shall promulgate such rules and regulations as may be deemed necessary to carry out the purposes of this subsection (g).

(6) The credit shall be available for eligible employees hired on or after January 1, 1986.

(h) Investment credit; High Impact Business.

(1) Subject to subsections (b) and (b-5) of Section 5.5 of the Illinois Enterprise Zone Act, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for investment in qualified property which is placed in service by a Department of Commerce and ~~Economic Opportunity Community Affairs~~ designated High Impact Business. The credit shall be .5% of the basis for such property. The credit shall not be available (i) until the minimum investments in qualified property set forth in subdivision (a)(3)(A) of Section 5.5 of the Illinois Enterprise Zone Act have been satisfied or (ii) until the time authorized in subsection (b-5) of the Illinois Enterprise Zone Act for entities designated as High Impact Businesses under subdivisions (a)(3)(B), (a)(3)(C), and (a)(3)(D) of Section 5.5 of the Illinois Enterprise Zone Act, and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. The credit applicable to such investments shall be taken in the taxable year in which such investments have been completed. The credit for additional investments beyond the minimum investment by a designated high impact business authorized under subdivision (a)(3)(A) of Section 5.5 of the Illinois Enterprise Zone Act shall be available only in the taxable year in which the property is placed in service and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. For tax years ending on or after December 31, 1987, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, the credit accruing first in time shall be applied first.

Changes made in this subdivision (h)(1) by Public Act 88-670 restore changes made by Public Act 85-1182 and reflect existing law.

(2) The term qualified property means property which:

(A) is tangible, whether new or used, including buildings and structural components of buildings;

(B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (h);

(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code; and

(D) is not eligible for the Enterprise Zone Investment Credit provided by subsection (f) of this Section.

(3) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(4) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in a federally designated Foreign Trade Zone or Sub-Zone located in Illinois by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(5) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(6) If during any taxable year ending on or before December 31, 1996, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside Illinois within 48 months after being placed in service, the tax imposed under subsections (a) and (b) of this Section for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation, and (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (6), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(7) Beginning with tax years ending after December 31, 1996, if a taxpayer qualifies for the credit under this subsection (h) and thereby is granted a tax abatement and the taxpayer relocates its entire facility in violation of the explicit terms and length of the contract under Section 18-183 of the Property Tax Code, the tax imposed under subsections (a) and (b) of this Section shall be increased for the taxable year in which the taxpayer relocated its facility by an amount equal to the amount of credit received by the taxpayer under this subsection (h).

(i) Credit for Personal Property Tax Replacement Income Tax. For tax years ending prior to December 31, 2003, a credit shall be allowed against the tax imposed by subsections (a) and (b) of this Section for the tax imposed by subsections (c) and (d) of this Section. This credit shall be computed by multiplying the tax imposed by subsections (c) and (d) of this Section by a fraction, the numerator of which is base income allocable to Illinois and the denominator of which is Illinois base income, and further multiplying the product by the tax rate imposed by subsections (a) and (b) of this Section.

Any credit earned on or after December 31, 1986 under this subsection which is unused in the year the credit is computed because it exceeds the tax liability imposed by subsections (a) and (b) for that year (whether it exceeds the original liability or the liability as later amended) may be carried forward and applied to the tax liability imposed by subsections (a) and (b) of the 5 taxable years following the excess credit year, provided that no credit may be carried forward to any year ending on or after December 31, 2003. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability the earliest credit arising under this subsection shall be applied first.

If, during any taxable year ending on or after December 31, 1986, the tax imposed by subsections (c) and (d) of this Section for which a taxpayer has claimed a credit under this subsection (i) is reduced, the amount of credit for such tax shall also be reduced. Such reduction shall be determined by recomputing the credit to take into account the reduced tax imposed by subsections (c) and (d). If any portion of the reduced amount of credit has been carried to a different taxable year, an amended return shall be filed for such taxable year to reduce the amount of credit claimed.

(j) Training expense credit. Beginning with tax years ending on or after December 31, 1986 and prior to December 31, 2003, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) under this Section for all amounts paid or accrued, on behalf of all persons employed by the taxpayer in Illinois or Illinois residents employed outside of Illinois by a taxpayer, for educational or vocational training in semi-technical or technical fields or semi-skilled or skilled fields, which were deducted from gross income in the computation of taxable income. The credit against the tax imposed by subsections (a) and (b) shall be 1.6% of such training expenses. For partners, shareholders of subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection (j) to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

Any credit allowed under this subsection which is unused in the year the credit is earned may be

carried forward to each of the 5 taxable years following the year for which the credit is first computed until it is used. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability the earliest credit arising under this subsection shall be applied first. No carryforward credit may be claimed in any tax year ending on or after December 31, 2003.

(k) Research and development credit.

For tax years ending after July 1, 1990 and prior to December 31, 2003, and beginning again for tax years ending on or after December 31, 2004, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for increasing research activities in this State. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 6 1/2% of the qualifying expenditures for increasing research activities in this State. For partners, shareholders of subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

For purposes of this subsection, "qualifying expenditures" means the qualifying expenditures as defined for the federal credit for increasing research activities which would be allowable under Section 41 of the Internal Revenue Code and which are conducted in this State, "qualifying expenditures for increasing research activities in this State" means the excess of qualifying expenditures for the taxable year in which incurred over qualifying expenditures for the base period, "qualifying expenditures for the base period" means the average of the qualifying expenditures for each year in the base period, and "base period" means the 3 taxable years immediately preceding the taxable year for which the determination is being made.

Any credit in excess of the tax liability for the taxable year may be carried forward. A taxpayer may elect to have the unused credit shown on its final completed return carried over as a credit against the tax liability for the following 5 taxable years or until it has been fully used, whichever occurs first; provided that no credit earned in a tax year ending prior to December 31, 2003 may be carried forward to any year ending on or after December 31, 2003. ~~; provided that no credit may be carried forward to any year ending on or after December 31, 2003.~~

If an unused credit is carried forward to a given year from 2 or more earlier years, that credit arising in the earliest year will be applied first against the tax liability for the given year. If a tax liability for the given year still remains, the credit from the next earliest year will then be applied, and so on, until all credits have been used or no tax liability for the given year remains. Any remaining unused credit or credits then will be carried forward to the next following year in which a tax liability is incurred, except that no credit can be carried forward to a year which is more than 5 years after the year in which the expense for which the credit is given was incurred.

No inference shall be drawn from this amendatory Act of the 91st General Assembly in construing this Section for taxable years beginning before January 1, 1999.

(l) Environmental Remediation Tax Credit.

(i) For tax years ending after December 31, 1997 and on or before December 31, 2001, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for certain amounts paid for unreimbursed eligible remediation costs, as specified in this subsection. For purposes of this Section, "unreimbursed eligible remediation costs" means costs approved by the Illinois Environmental Protection Agency ("Agency") under Section 58.14 of the Environmental Protection Act that were paid in performing environmental remediation at a site for which a No Further Remediation Letter was issued by the Agency and recorded under Section 58.10 of the Environmental Protection Act. The credit must be claimed for the taxable year in which Agency approval of the eligible remediation costs is granted. The credit is not available to any taxpayer if the taxpayer or any related party caused or contributed to, in any material respect, a release of regulated substances on, in, or under the site that was identified and addressed by the remedial action pursuant to the Site Remediation Program of the Environmental Protection Act. After the Pollution Control Board rules are adopted pursuant to the Illinois Administrative Procedure Act for the administration and enforcement of Section 58.9 of the Environmental Protection Act, determinations as to credit availability for purposes of this Section shall be made consistent with those rules. For purposes of this Section, "taxpayer" includes a person whose tax attributes the taxpayer has succeeded to under Section 381 of the Internal Revenue Code and "related party" includes the persons disallowed a deduction for losses by paragraphs (b), (c), and (f)(1) of Section 267 of the Internal Revenue Code by virtue of being a related taxpayer, as well as any of its

partners. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 25% of the unreimbursed eligible remediation costs in excess of \$100,000 per site, except that the \$100,000 threshold shall not apply to any site contained in an enterprise zone as determined by the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity). The total credit allowed shall not exceed \$40,000 per year with a maximum total of \$150,000 per site. For partners and shareholders of subchapter S corporations, there shall be allowed a credit under this subsection to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

(ii) A credit allowed under this subsection that is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first earned until it is used. The term "unused credit" does not include any amounts of unreimbursed eligible remediation costs in excess of the maximum credit per site authorized under paragraph (i). This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability, the earliest credit arising under this subsection shall be applied first. A credit allowed under this subsection may be sold to a buyer as part of a sale of all or part of the remediation site for which the credit was granted. The purchaser of a remediation site and the tax credit shall succeed to the unused credit and remaining carry-forward period of the seller. To perfect the transfer, the assignor shall record the transfer in the chain of title for the site and provide written notice to the Director of the Illinois Department of Revenue of the assignor's intent to sell the remediation site and the amount of the tax credit to be transferred as a portion of the sale. In no event may a credit be transferred to any taxpayer if the taxpayer or a related party would not be eligible under the provisions of subsection (i).

(iii) For purposes of this Section, the term "site" shall have the same meaning as under Section 58.2 of the Environmental Protection Act.

(m) Education expense credit. Beginning with tax years ending after December 31, 1999, a taxpayer who is the custodian of one or more qualifying pupils shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for qualified education expenses incurred on behalf of the qualifying pupils. The credit shall be equal to 25% of qualified education expenses, but in no event may the total credit under this subsection claimed by a family that is the custodian of qualifying pupils exceed \$500. In no event shall a credit under this subsection reduce the taxpayer's liability under this Act to less than zero. This subsection is exempt from the provisions of Section 250 of this Act.

For purposes of this subsection:

"Qualifying pupils" means individuals who (i) are residents of the State of Illinois, (ii) are under the age of 21 at the close of the school year for which a credit is sought, and (iii) during the school year for which a credit is sought were full-time pupils enrolled in a kindergarten through twelfth grade education program at any school, as defined in this subsection.

"Qualified education expense" means the amount incurred on behalf of a qualifying pupil in excess of \$250 for tuition, book fees, and lab fees at the school in which the pupil is enrolled during the regular school year.

"School" means any public or nonpublic elementary or secondary school in Illinois that is in compliance with Title VI of the Civil Rights Act of 1964 and attendance at which satisfies the requirements of Section 26-1 of the School Code, except that nothing shall be construed to require a child to attend any particular public or nonpublic school to qualify for the credit under this Section.

"Custodian" means, with respect to qualifying pupils, an Illinois resident who is a parent, the parents, a legal guardian, or the legal guardians of the qualifying pupils.

(Source: P.A. 92-12, eff. 7-1-01; 92-16, eff. 6-28-01; 92-651, eff. 7-11-02; 92-846, eff. 8-23-02; 93-29, eff. 6-20-03; revised 12-6-03.)

ARTICLE 45

Section 45-5. The Environmental Protection Act is amended by changing Sections 12.5 as follows:
(415 ILCS 5/12.5)

Sec. 12.5. NPDES discharge fees; sludge permit fees.

(a) Beginning July 1, 2003, the Agency shall assess and collect annual fees (i) in the amounts set forth in subsection (e) for all discharges that require an NPDES permit under subsection (f) of Section 12, from each person holding an NPDES permit authorizing those discharges (including a person who continues to discharge under an expired permit pending renewal), and (ii) in the amounts set forth in

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subsection (f) of this Section for all activities that require a permit under subsection (b) of Section 12, from each person holding a domestic sewage sludge generator or user permit.

Each person subject to this Section must remit the applicable annual fee to the Agency in accordance with the requirements set forth in this Section and any rules adopted pursuant to this Section.

(b) Within 30 days after the effective date of this Section, and ~~by May 31 of~~ each year thereafter, the Agency shall send a fee notice by mail to each existing permittee subject to a fee under this Section at his or her address of record. The notice shall state the amount of the applicable annual fee and the date by which payment is required.

Except as provided in subsection (c) with respect to initial fees under new permits and certain modifications of existing permits, fees payable under this Section ~~for the 12 months beginning July 1, 2003~~ are due by the date specified in the fee notice, which shall be no less than 30 days after the date the fee notice is mailed by the Agency, ~~and fees payable under this Section for subsequent years shall be due on July 1 or as otherwise required in any rules that may be adopted pursuant to this Section.~~

(c) The initial annual fee for discharges under a new individual NPDES permit or for activity under a new individual sludge generator or sludge user permit must be remitted to the Agency prior to the issuance of the permit. The Agency shall provide notice of the amount of the fee to the applicant during its review of the application. In the case of a new individual NPDES or sludge permit issued during the months of January through June, the Agency may prorate the initial annual fee payable under this Section.

The initial annual fee for discharges or other activity under a general NPDES permit must be remitted to the Agency as part of the application for coverage under that general permit.

If a requested modification to an existing NPDES permit causes a change in the applicable fee categories under subsection (e) that results in an increase in the required fee, the permittee must pay to the Agency the amount of the increase, prorated for the number of months remaining before the next July 1, before the modification is granted.

(d) Failure to submit the fee required under this Section by the due date constitutes a violation of this Section. Late payments shall incur an interest penalty, calculated at the rate in effect from time to time for tax delinquencies under subsection (a) of Section 1003 of the Illinois Income Tax Act, from the date the fee is due until the date the fee payment is received by the Agency.

(e) The annual fees applicable to discharges under NPDES permits are as follows:

(1) For NPDES permits for publicly owned treatment works, other facilities for which the wastewater being treated and discharged is primarily domestic sewage, and wastewater discharges from the operation of public water supply treatment facilities, the fee is:

(i) \$1,500 ~~for the 12 months beginning July 1, 2003~~ and \$500 ~~for each subsequent year~~, for facilities with a Design Average Flow rate of less than 100,000

gallons per day;

(ii) \$5,000 ~~for the 12 months beginning July 1, 2003~~ and \$2,500 ~~for each subsequent year~~, for facilities with a Design Average Flow rate of at least 100,000

gallons per day but less than 500,000 gallons per day;

(iii) \$7,500 for facilities with a Design Average Flow rate of at least 500,000 gallons per day but less than 1,000,000 gallons per day;

(iv) \$15,000 for facilities with a Design Average Flow rate of at least 1,000,000 gallons per day but less than 5,000,000 gallons per day;

(v) \$30,000 for facilities with a Design Average Flow rate of at least 5,000,000 gallons per day but less than 10,000,000 gallons per day; and

(vi) \$50,000 for facilities with a Design Average Flow rate of 10,000,000 gallons per day or more.

(2) For NPDES permits for treatment works or sewer collection systems that include combined sewer overflow outfalls, the fee is:

(i) \$1,000 for systems serving a tributary population of 10,000 or less;

(ii) \$5,000 for systems serving a tributary population that is greater than 10,000 but not more than 25,000; and

(iii) \$20,000 for systems serving a tributary population that is greater than 25,000.

The fee amounts in this subdivision (e)(2) are in addition to the fees stated in subdivision (e)(1) when the combined sewer overflow outfall is contained within a permit subject to subsection (e)(1) fees.

(3) For NPDES permits for mines producing coal, the fee is \$5,000.

- (4) For NPDES permits for mines other than mines producing coal, the fee is \$5,000.
- (5) For NPDES permits for industrial activity where toxic substances are not regulated, other than permits covered under subdivision (e)(3) or (e)(4), the fee is:
- (i) \$1,000 for a facility with a Design Average Flow rate that is not more than 10,000 gallons per day;
 - (ii) \$2,500 for a facility with a Design Average Flow rate that is more than 10,000 gallons per day but not more than 100,000 gallons per day; and
 - (iii) \$10,000 for a facility with a Design Average Flow rate that is more than 100,000 gallons per day.
- (6) For NPDES permits for industrial activity where toxic substances are regulated, other than permits covered under subdivision (e)(3) or (e)(4), the fee is:
- (i) \$15,000 for a facility with a Design Average Flow rate that is not more than 250,000 gallons per day; and
 - (ii) \$20,000 for a facility with a Design Average Flow rate that is more than 250,000 gallons per day.
- (7) For NPDES permits for industrial activity classified by USEPA as a major discharge, other than permits covered under subdivision (e)(3) or (e)(4), the fee is:
- (i) \$30,000 for a facility where toxic substances are not regulated; and
 - (ii) \$50,000 for a facility where toxic substances are regulated.
- (8) For NPDES permits for municipal separate storm sewer systems, the fee is \$1,000.
- (9) For NPDES permits for construction site or industrial storm water, the fee is \$500.
- (f) The annual fee for activities under a permit that authorizes applying sludge on land is \$2,500 for a sludge generator permit and \$5,000 for a sludge user permit.
- (g) More than one of the annual fees specified in subsections (e) and (f) may be applicable to a permit holder. These fees are in addition to any other fees required under this Act.
- (h) The fees imposed under this Section do not apply to the State or any department or agency of the State, nor to any school district, or to any private sewage disposal system as defined in the Private Sewage Disposal Licensing Act (225 ILCS 225/).
- (i) The Agency may adopt rules to administer the fee program established in this Section. The Agency may include provisions pertaining to invoices, notice of late payment, and disputes concerning the amount or timeliness of payment. The Agency may set forth procedures and criteria for the acceptance of payments. The absence of such rules does not affect the duty of the Agency to immediately begin the assessment and collection of fees under this Section.
- (j) All fees and interest penalties collected by the Agency under this Section shall be deposited into the Illinois Clean Water Fund, which is hereby created as a special fund in the State treasury. Gifts, supplemental environmental project funds, and grants may be deposited into the Fund. Investment earnings on moneys held in the Fund shall be credited to the Fund.
- Subject to appropriation, the moneys in the Fund shall be used by the Agency to carry out the Agency's clean water activities.
- (k) Except as provided in subsection (l), fees ~~Fees~~ paid to the Agency under this Section are not refundable.
- (l) The Agency may refund the difference between (a) the amount paid by any person under subsection (e)(1)(i) or (e)(1)(ii) of this Section for the 12 months beginning July 1, 2004 and (b) the amount due under subsection (e)(1)(i) or (e)(1)(ii) as established by this amendatory Act of the 93rd General Assembly.

(Source: P.A. 93-32, eff. 7-1-03.)

ARTICLE 50

Section 50-5. The Film Production Services Tax Credit Act is amended by changing Section 90 as follows:

(35 ILCS 15/90)

(Section scheduled to be repealed on January 1, 2005)

Sec. 90. Repeal. This Act is repealed 2 years ~~1 year~~ after its effective date.

(Source: P.A. 93-543, eff. 1-1-04.)

ARTICLE 99

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

[July 24, 2004]

Under the rules, the foregoing **Senate Bill No. 2207**, with House Amendments numbered 1 and 2, was referred to the Secretary's Desk.

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2208

A bill for AN ACT in relation to budget implementation.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 2208

House Amendment No. 2 to SENATE BILL NO. 2208

Passed the House, as amended, July 24, 2004, by a three-fifths vote.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 2208 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Income Tax Act is amended by changing Section 1501 as follows:
(35 ILCS 5/1501) (from Ch. 120, par. 15-1501)

Sec. 1501. Definitions.

(a) In general. When used in this Act, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) Business income. The term "business income" means income arising from transactions and activity in the regular course of the taxpayer's trade or business, net of the deductions allocable thereto, and includes income from tangible and intangible property if the acquisition, management, and disposition of the property constitute integral parts of the taxpayer's regular trade or business operations. Such term does not include compensation or the deductions allocable thereto. For each taxable year beginning on or after January 1, 2003, a taxpayer may elect to treat all income other than compensation as business income. This election shall be made in accordance with rules adopted by the Department and, once made, shall be irrevocable.

(2) Commercial domicile. The term "commercial domicile" means the principal place from which the trade or business of the taxpayer is directed or managed.

(3) Compensation. The term "compensation" means wages, salaries, commissions and any other form of remuneration paid to employees for personal services.

(4) Corporation. The term "corporation" includes associations, joint-stock companies, insurance companies and cooperatives. Any entity, including a limited liability company formed under the Illinois Limited Liability Company Act, shall be treated as a corporation if it is so classified for federal income tax purposes.

(5) Department. The term "Department" means the Department of Revenue of this State.

(6) Director. The term "Director" means the Director of Revenue of this State.

(7) Fiduciary. The term "fiduciary" means a guardian, trustee, executor, administrator, receiver, or any person acting in any fiduciary capacity for any person.

(8) Financial organization.

(A) The term "financial organization" means any bank, bank holding company, trust company, savings bank, industrial bank, land bank, ~~safe deposit company~~, private banker, savings and loan association, building and loan association, credit union, ~~currency exchange~~, cooperative bank, ~~small loan company~~, ~~sales finance company~~, investment company, or any person which is owned by a bank or bank holding company. For the purpose of this Section a "person" will include only those persons which a bank holding company may acquire and hold an interest in, directly or indirectly, under the provisions of the Bank Holding Company Act of 1956 (12 U.S.C. 1841, et seq.), except where interests in any person must be disposed of within certain required time limits under the Bank Holding Company Act of 1956.

(B) For purposes of subparagraph (A) of this paragraph, the term "bank" includes

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(i) any entity that is regulated by the Comptroller of the Currency under the National Bank Act, or by the Federal Reserve Board, or by the Federal Deposit Insurance Corporation and (ii) any federally or State chartered bank operating as a credit card bank.

(C) For purposes of subparagraph (A) of this paragraph, the term "sales finance company" has the meaning provided in the following item (i) or (ii):

(i) A person primarily engaged in one or more of the following businesses: the business of purchasing customer receivables, the business of making loans upon the security of customer receivables, the business of making loans for the express purpose of funding purchases of tangible personal property or services by the borrower, or the business of finance leasing. For purposes of this item (i), "customer receivable" means:

(a) a retail installment contract or retail charge agreement within the meaning of the Sales Finance Agency Act, the Retail Installment Sales Act, or the Motor Vehicle Retail Installment Sales Act;

(b) an installment, charge, credit, or similar contract or agreement arising from the sale of tangible personal property or services in a transaction involving a deferred payment price payable in one or more installments subsequent to the sale; or

(c) the outstanding balance of a contract or agreement described in provisions (a) or (b) of this item (i).

A customer receivable need not provide for payment of interest on deferred payments. A sales finance company may purchase a customer receivable from, or make a loan secured by a customer receivable to, the seller in the original transaction or to a person who purchased the customer receivable directly or indirectly from that seller.

(ii) A corporation meeting each of the following criteria:

(a) the corporation must be a member of an "affiliated group" within the meaning of Section 1504(a) of the Internal Revenue Code, determined without regard to Section 1504(b) of the Internal Revenue Code;

(b) more than 50% of the gross income of the corporation for the taxable year must be interest income derived from qualifying loans. A "qualifying loan" is a loan made to a member of the corporation's affiliated group that originates customer receivables (within the meaning of item (i)) or to whom customer receivables originated by a member of the affiliated group have been transferred, to the extent the average outstanding balance of loans from that corporation to members of its affiliated group during the taxable year do not exceed the limitation amount for that corporation. The "limitation amount" for a corporation is the average outstanding balances during the taxable year of customer receivables (within the meaning of item (i)) originated by all members of the affiliated group. If the average outstanding balances of the loans made by a corporation to members of its affiliated group exceed the limitation amount, the interest income of that corporation from qualifying loans shall be equal to its interest income from loans to members of its affiliated groups times a fraction equal to the limitation amount divided by the average outstanding balances of the loans made by that corporation to members of its affiliated group;

(c) the total of all shareholder's equity (including, without limitation, paid-in capital on common and preferred stock and retained earnings) of the corporation plus the total of all of its loans, advances, and other obligations payable or owed to members of its affiliated group may not exceed 20% of the total assets of the corporation at any time during the tax year; and

(d) more than 50% of all interest-bearing obligations of the affiliated group payable to persons outside the group determined in accordance with generally accepted accounting principles must be obligations of the corporation.

This amendatory Act of the 91st General Assembly is declaratory of existing law.

(D) Subparagraphs (B) and (C) of this paragraph are declaratory of existing law and apply retroactively, for all tax years beginning on or before December 31, 1996, to all original returns, to all amended returns filed no later than 30 days after the effective date of this amendatory Act of 1996, and to all notices issued on or before the effective date of this amendatory Act of 1996 under subsection (a) of Section 903, subsection (a) of Section 904, subsection (e) of Section 909, or Section 912. A taxpayer that is a "financial organization" that engages in any transaction with an affiliate shall be a "financial organization" for all purposes of this Act.

(E) For all tax years beginning on or before December 31, 1996, a taxpayer that falls within the definition of a "financial organization" under subparagraphs (B) or (C) of this

paragraph, but who does not fall within the definition of a "financial organization" under the Proposed Regulations issued by the Department of Revenue on July 19, 1996, may irrevocably elect to apply the Proposed Regulations for all of those years as though the Proposed Regulations had been lawfully promulgated, adopted, and in effect for all of those years. For purposes of applying subparagraphs (B) or (C) of this paragraph to all of those years, the election allowed by this subparagraph applies only to the taxpayer making the election and to those members of the taxpayer's unitary business group who are ordinarily required to apportion business income under the same subsection of Section 304 of this Act as the taxpayer making the election. No election allowed by this subparagraph shall be made under a claim filed under subsection (d) of Section 909 more than 30 days after the effective date of this amendatory Act of 1996.

(F) Finance Leases. For purposes of this subsection, a finance lease shall be treated as a loan or other extension of credit, rather than as a lease, regardless of how the transaction is characterized for any other purpose, including the purposes of any regulatory agency to which the lessor is subject. A finance lease is any transaction in the form of a lease in which the lessee is treated as the owner of the leased asset entitled to any deduction for depreciation allowed under Section 167 of the Internal Revenue Code.

(9) Fiscal year. The term "fiscal year" means an accounting period of 12 months ending on the last day of any month other than December.

(10) Includes and including. The terms "includes" and "including" when used in a definition contained in this Act shall not be deemed to exclude other things otherwise within the meaning of the term defined.

(11) Internal Revenue Code. The term "Internal Revenue Code" means the United States Internal Revenue Code of 1954 or any successor law or laws relating to federal income taxes in effect for the taxable year.

(12) Mathematical error. The term "mathematical error" includes the following types of errors, omissions, or defects in a return filed by a taxpayer which prevents acceptance of the return as filed for processing:

(A) arithmetic errors or incorrect computations on the return or supporting schedules;

(B) entries on the wrong lines;

(C) omission of required supporting forms or schedules or the omission of the information in whole or in part called for thereon; and

(D) an attempt to claim, exclude, deduct, or improperly report, in a manner directly contrary to the provisions of the Act and regulations thereunder any item of income, exemption, deduction, or credit.

(13) Nonbusiness income. The term "nonbusiness income" means all income other than business income or compensation.

(14) Nonresident. The term "nonresident" means a person who is not a resident.

(15) Paid, incurred and accrued. The terms "paid", "incurred" and "accrued" shall be construed according to the method of accounting upon the basis of which the person's base income is computed under this Act.

(16) Partnership and partner. The term "partnership" includes a syndicate, group, pool, joint venture or other unincorporated organization, through or by means of which any business, financial operation, or venture is carried on, and which is not, within the meaning of this Act, a trust or estate or a corporation; and the term "partner" includes a member in such syndicate, group, pool, joint venture or organization.

The term "partnership" includes any entity, including a limited liability company formed under the Illinois Limited Liability Company Act, classified as a partnership for federal income tax purposes.

The term "partnership" does not include a syndicate, group, pool, joint venture, or other unincorporated organization established for the sole purpose of playing the Illinois State Lottery.

(17) Part-year resident. The term "part-year resident" means an individual who became a resident during the taxable year or ceased to be a resident during the taxable year. Under Section 1501(a)(20)(A)(i) residence commences with presence in this State for other than a temporary or transitory purpose and ceases with absence from this State for other than a temporary or transitory purpose. Under Section 1501(a)(20)(A)(ii) residence commences with the establishment of domicile in this State and ceases with the establishment of domicile in another State.

(18) Person. The term "person" shall be construed to mean and include an individual, a

trust, estate, partnership, association, firm, company, corporation, limited liability company, or fiduciary. For purposes of Section 1301 and 1302 of this Act, a "person" means (i) an individual, (ii) a corporation, (iii) an officer, agent, or employee of a corporation, (iv) a member, agent or employee of a partnership, or (v) a member, manager, employee, officer, director, or agent of a limited liability company who in such capacity commits an offense specified in Section 1301 and 1302.

(18A) Records. The term "records" includes all data maintained by the taxpayer, whether on paper, microfilm, microfiche, or any type of machine-sensible data compilation.

(19) Regulations. The term "regulations" includes rules promulgated and forms prescribed by the Department.

(20) Resident. The term "resident" means:

(A) an individual (i) who is in this State for other than a temporary or transitory purpose during the taxable year; or (ii) who is domiciled in this State but is absent from the State for a temporary or transitory purpose during the taxable year;

(B) The estate of a decedent who at his or her death was domiciled in this State;

(C) A trust created by a will of a decedent who at his death was domiciled in this State; and

(D) An irrevocable trust, the grantor of which was domiciled in this State at the time such trust became irrevocable. For purpose of this subparagraph, a trust shall be considered irrevocable to the extent that the grantor is not treated as the owner thereof under Sections 671 through 678 of the Internal Revenue Code.

(21) Sales. The term "sales" means all gross receipts of the taxpayer not allocated under Sections 301, 302 and 303.

(22) State. The term "state" when applied to a jurisdiction other than this State means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any Territory or Possession of the United States, and any foreign country, or any political subdivision of any of the foregoing. For purposes of the foreign tax credit under Section 601, the term "state" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States, or any political subdivision of any of the foregoing, effective for tax years ending on or after December 31, 1989.

(23) Taxable year. The term "taxable year" means the calendar year, or the fiscal year ending during such calendar year, upon the basis of which the base income is computed under this Act. "Taxable year" means, in the case of a return made for a fractional part of a year under the provisions of this Act, the period for which such return is made.

(24) Taxpayer. The term "taxpayer" means any person subject to the tax imposed by this Act.

(25) International banking facility. The term international banking facility shall have the same meaning as is set forth in the Illinois Banking Act or as is set forth in the laws of the United States or regulations of the Board of Governors of the Federal Reserve System.

(26) Income Tax Return Preparer.

(A) The term "income tax return preparer" means any person who prepares for compensation, or who employs one or more persons to prepare for compensation, any return of tax imposed by this Act or any claim for refund of tax imposed by this Act. The preparation of a substantial portion of a return or claim for refund shall be treated as the preparation of that return or claim for refund.

(B) A person is not an income tax return preparer if all he or she does is

(i) furnish typing, reproducing, or other mechanical assistance;

(ii) prepare returns or claims for refunds for the employer by whom he or she is regularly and continuously employed;

(iii) prepare as a fiduciary returns or claims for refunds for any person; or

(iv) prepare claims for refunds for a taxpayer in response to any notice of deficiency issued to that taxpayer or in response to any waiver of restriction after the commencement of an audit of that taxpayer or of another taxpayer if a determination in the audit of the other taxpayer directly or indirectly affects the tax liability of the taxpayer whose claims he or she is preparing.

(27) Unitary business group. The term "unitary business group" means a group of persons related through common ownership whose business activities are integrated with, dependent upon and contribute to each other. The group will not include those members whose business activity outside the United States is 80% or more of any such member's total business

activity; for purposes of this paragraph and clause (a)(3)(B)(ii) of Section 304, business activity within the United States shall be measured by means of the factors ordinarily applicable under subsections (a), (b), (c), (d), or (h) of Section 304 except that, in the case of members ordinarily required to apportion business income by means of the 3 factor formula of property, payroll and sales specified in subsection (a) of Section 304, including the formula as weighted in subsection (h) of Section 304, such members shall not use the sales factor in the computation and the results of the property and payroll factor computations of subsection (a) of Section 304 shall be divided by 2 (by one if either the property or payroll factor has a denominator of zero). The computation required by the preceding sentence shall, in each case, involve the division of the member's property, payroll, or revenue miles in the United States, insurance premiums on property or risk in the United States, or financial organization business income from sources within the United States, as the case may be, by the respective worldwide figures for such items. Common ownership in the case of corporations is the direct or indirect control or ownership of more than 50% of the outstanding voting stock of the persons carrying on unitary business activity. Unitary business activity can ordinarily be illustrated where the activities of the members are: (1) in the same general line (such as manufacturing, wholesaling, retailing of tangible personal property, insurance, transportation or finance); or (2) are steps in a vertically structured enterprise or process (such as the steps involved in the production of natural resources, which might include exploration, mining, refining, and marketing); and, in either instance, the members are functionally integrated through the exercise of strong centralized management (where, for example, authority over such matters as purchasing, financing, tax compliance, product line, personnel, marketing and capital investment is not left to each member). ~~For tax years ending before December 31, 2004, no in no event, however, will any~~ unitary business group may include members which are ordinarily required to apportion business income under different subsections of Section 304 except that for tax years ending on or after December 31, 1987 and before December 31, 2004, this prohibition shall not apply to a unitary business group composed of one or more taxpayers all of which apportion business income pursuant to subsection (b) of Section 304, or all of which apportion business income pursuant to subsection (d) of Section 304, and a holding company of such single-factor taxpayers (see definition of "financial organization" for rule regarding holding companies of financial organizations). If a unitary business group would, but for the preceding sentence, include members that are ordinarily required to apportion business income under different subsections of Section 304, then for each subsection of Section 304 for which there are two or more members, there shall be a separate unitary business group composed of such members. For purposes of the preceding two sentences, a member is "ordinarily required to apportion business income" under a particular subsection of Section 304 if it would be required to use the apportionment method prescribed by such subsection except for the fact that it derives business income solely from Illinois. If the unitary business group members' accounting periods differ, the common parent's accounting period or, if there is no common parent, the accounting period of the member that is expected to have, on a recurring basis, the greatest Illinois income tax liability must be used to determine whether to use the apportionment method provided in subsection (a) or subsection (h) of Section 304. The prohibition against membership in a unitary business group for taxpayers ordinarily required to apportion income under different subsections of Section 304 does not apply to taxpayers required to apportion income under subsection (a) and subsection (h) of Section 304. The provisions of this amendatory Act of 1998 apply to tax years ending on or after December 31, 1998.

(28) Subchapter S corporation. The term "Subchapter S corporation" means a corporation for which there is in effect an election under Section 1362 of the Internal Revenue Code, or for which there is a federal election to opt out of the provisions of the Subchapter S Revision Act of 1982 and have applied instead the prior federal Subchapter S rules as in effect on July 1, 1982.

(b) Other definitions.

(1) Words denoting number, gender, and so forth, when used in this Act, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(A) Words importing the singular include and apply to several persons, parties or things;

(B) Words importing the plural include the singular; and

(C) Words importing the masculine gender include the feminine as well.

(2) "Company" or "association" as including successors and assigns. The word "company" or "association", when used in reference to a corporation, shall be deemed to embrace the words

"successors and assigns of such company or association", and in like manner as if these last-named words, or words of similar import, were expressed.

(3) Other terms. Any term used in any Section of this Act with respect to the application of, or in connection with, the provisions of any other Section of this Act shall have the same meaning as in such other Section.

(Source: P.A. 91-535, eff. 1-1-00; 91-913, eff. 1-1-01; 92-846, eff. 8-23-02)."

AMENDMENT NO. 2

AMENDMENT NO. 2 . Amend Senate Bill 2208, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the FY2005 Budget Implementation (Human Services) Act.

Section 5. Purpose. It is the purpose of this Act to make changes in State programs that are necessary to implement the Governor's FY2005 budget recommendations concerning human services.

Section 7. The Illinois Administrative Procedure Act is amended by changing Section 5-45 as follows:

(5 ILCS 100/5-45) (from Ch. 127, par. 1005-45)

Sec. 5-45. Emergency rulemaking.

(a) "Emergency" means the existence of any situation that any agency finds reasonably constitutes a threat to the public interest, safety, or welfare.

(b) If any agency finds that an emergency exists that requires adoption of a rule upon fewer days than is required by Section 5-40 and states in writing its reasons for that finding, the agency may adopt an emergency rule without prior notice or hearing upon filing a notice of emergency rulemaking with the Secretary of State under Section 5-70. The notice shall include the text of the emergency rule and shall be published in the Illinois Register. Consent orders or other court orders adopting settlements negotiated by an agency may be adopted under this Section. Subject to applicable constitutional or statutory provisions, an emergency rule becomes effective immediately upon filing under Section 5-65 or at a stated date less than 10 days thereafter. The agency's finding and a statement of the specific reasons for the finding shall be filed with the rule. The agency shall take reasonable and appropriate measures to make emergency rules known to the persons who may be affected by them.

(c) An emergency rule may be effective for a period of not longer than 150 days, but the agency's authority to adopt an identical rule under Section 5-40 is not precluded. No emergency rule may be adopted more than once in any 24 month period, except that this limitation on the number of emergency rules that may be adopted in a 24 month period does not apply to (i) emergency rules that make additions to and deletions from the Drug Manual under Section 5-5.16 of the Illinois Public Aid Code or the generic drug formulary under Section 3.14 of the Illinois Food, Drug and Cosmetic Act or (ii) emergency rules adopted by the Pollution Control Board before July 1, 1997 to implement portions of the Livestock Management Facilities Act. Two or more emergency rules having substantially the same purpose and effect shall be deemed to be a single rule for purposes of this Section.

(d) In order to provide for the expeditious and timely implementation of the State's fiscal year 1999 budget, emergency rules to implement any provision of Public Act 90-587 or 90-588 or any other budget initiative for fiscal year 1999 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (d). The adoption of emergency rules authorized by this subsection (d) shall be deemed to be necessary for the public interest, safety, and welfare.

(e) In order to provide for the expeditious and timely implementation of the State's fiscal year 2000 budget, emergency rules to implement any provision of this amendatory Act of the 91st General Assembly or any other budget initiative for fiscal year 2000 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (e). The adoption of emergency rules authorized by this subsection (e) shall be deemed to be necessary for the public interest, safety, and welfare.

(f) In order to provide for the expeditious and timely implementation of the State's fiscal year 2001 budget, emergency rules to implement any provision of this amendatory Act of the 91st General

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Assembly or any other budget initiative for fiscal year 2001 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (f). The adoption of emergency rules authorized by this subsection (f) shall be deemed to be necessary for the public interest, safety, and welfare.

(g) In order to provide for the expeditious and timely implementation of the State's fiscal year 2002 budget, emergency rules to implement any provision of this amendatory Act of the 92nd General Assembly or any other budget initiative for fiscal year 2002 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (g). The adoption of emergency rules authorized by this subsection (g) shall be deemed to be necessary for the public interest, safety, and welfare.

(h) In order to provide for the expeditious and timely implementation of the State's fiscal year 2003 budget, emergency rules to implement any provision of this amendatory Act of the 92nd General Assembly or any other budget initiative for fiscal year 2003 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (h). The adoption of emergency rules authorized by this subsection (h) shall be deemed to be necessary for the public interest, safety, and welfare.

(i) In order to provide for the expeditious and timely implementation of the State's fiscal year 2004 budget, emergency rules to implement any provision of this amendatory Act of the 93rd General Assembly or any other budget initiative for fiscal year 2004 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (i). The adoption of emergency rules authorized by this subsection (i) shall be deemed to be necessary for the public interest, safety, and welfare.

(j) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2005 budget as provided under the Fiscal Year 2005 Budget Implementation (Human Services) Act, emergency rules to implement any provision of the Fiscal Year 2005 Budget Implementation (Human Services) Act may be adopted in accordance with this Section by the agency charged with administering that provision, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (j). The Department of Public Aid may also adopt rules under this subsection (j) necessary to administer the Illinois Public Aid Code and the Children's Health Insurance Program Act. The adoption of emergency rules authorized by this subsection (j) shall be deemed to be necessary for the public interest, safety, and welfare.

(Source: P.A. 92-10, eff. 6-11-01; 92-597, eff. 6-28-02; 93-20, eff. 6-20-03.)

Section 10. The Mental Health and Developmental Disabilities Administrative Act is amended by changing Section 18.4 and adding Section 18.5 as follows:

(20 ILCS 1705/18.4)

Sec. 18.4. Community Mental Health Medicaid Trust Fund; reimbursement.

(a) The Community Mental Health Medicaid Trust Fund is hereby created in the State Treasury.

(b) Except as otherwise provided in this Section, any ~~any~~ funds paid to the State by the federal government under Title XIX or Title XXI of the Social Security Act for services delivered by community mental health services providers, and any interest earned thereon, shall be deposited directly into the Community Mental Health Medicaid Trust Fund. Beginning with State fiscal year 2005, the first \$95,000,000 received by the Department shall be deposited 26.3% into the General Revenue Fund and 73.7% into the Community Mental Health Medicaid Trust Fund. Amounts received in excess of \$95,000,000 in any State fiscal year shall be deposited 50% into the General Revenue Fund and 50% into the Community Mental Health Medicaid Trust Fund. The Department shall analyze the budgeting and programmatic impact of this funding allocation and report to the Governor and the General Assembly the results of this analysis and any recommendations for change, no later than December 31, 2005.

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(c) The Department shall reimburse community mental health services providers for Medicaid-reimbursed mental health services provided to eligible individuals. Moneys in the Community Mental Health Medicaid Trust Fund may be used for that purpose.

(d) As used in this Section:

"Medicaid-reimbursed mental health services" means services provided by a community mental health provider under an agreement with the Department that is eligible for reimbursement under the federal Title XIX program or Title XXI program.

"Provider" means a community agency that is funded by the Department to provide a Medicaid-reimbursed service.

"Services" means mental health services provided under one of the following programs:

- (1) Medicaid Clinic Option;
- (2) Medicaid Rehabilitation Option;
- (3) Targeted Case Management.

(Source: P.A. 92-597, eff. 6-28-02.)

(20 ILCS 1705/18.5 new)

Sec. 18.5. Community Developmental Disability Services Medicaid Trust Fund: reimbursement.

(a) The Community Developmental Disability Services Medicaid Trust Fund is hereby created in the State treasury.

(b) Any funds in excess of \$16,700,000 in any fiscal year paid to the State by the federal government under Title XIX or Title XXI of the Social Security Act for services delivered by community developmental disability services providers for services relating to Developmental Training and Community Integrated Living Arrangements as a result of the conversion of such providers from a grant payment methodology to a fee-for-service payment methodology, or any other funds paid to the State for any subsequent revenue maximization initiatives performed by such providers, and any interest earned thereon, shall be deposited directly into the Community Developmental Disability Services Medicaid Trust Fund. One-third of this amount shall be used only to pay for Medicaid-reimbursed community developmental disability services provided to eligible individuals, and the remainder shall be transferred to the General Revenue Fund.

(c) For purposes of this Section:

"Medicaid-reimbursed developmental disability services" means services provided by a community developmental disability provider under an agreement with the Department that is eligible for reimbursement under the federal Title XIX program or Title XXI program.

"Provider" means a qualified entity as defined in the State's Home and Community-Based Services Waiver for Persons with Developmental Disabilities that is funded by the Department to provide a Medicaid-reimbursed service.

"Revenue maximization alternatives" do not include increases in funds paid to the State as a result of growth in spending through service expansion or rate increases.

Section 20. The State Finance Act is amended by changing Sections 6z-58 and 25 and by adding Section 8.55 as follows:

(30 ILCS 105/6z-58)

Sec. 6z-58. The Family Care Fund.

(a) There is created in the State treasury the Family Care Fund. Interest earned by the Fund shall be credited to the Fund.

(b) The Fund is created ~~solely~~ for the purposes of receiving, investing, and distributing moneys in accordance with (i) an approved waiver under the Social Security Act resulting from the Family Care waiver request submitted by the Illinois Department of Public Aid on February 15, 2002 and (ii) an interagency agreement between the Department of Public Aid and another agency of State government. The Fund shall consist of:

- (1) All federal financial participation moneys received pursuant to the approved

waiver, except for moneys received pursuant to expenditures for medical services by the Department of Public Aid from any other fund; and

- (2) All other moneys received by the Fund from any source, including interest thereon.

(c) Subject to appropriation, the moneys in the Fund shall be disbursed for reimbursement of medical services and other costs associated with persons receiving such services;

- (1) under programs administered by the Department of Public Aid; and

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(2) pursuant to an interagency agreement, under programs administered by another agency of State government, under the waiver due to their relationship with children receiving medical services pursuant to Article V of the Illinois Public Aid Code or the Children's Health Insurance Program Act.

(Source: P.A. 92-600, eff. 6-28-02; 93-20, eff. 6-20-03.)

(30 ILCS 105/8.55 new)

Sec. 8.55. Interfund transfers. On or after July 1, 2004 and until June 30, 2006, in addition to any other transfers that may be provided for by law, at the direction of and upon notification from the Director of Public Aid, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the General Revenue Fund from the designated funds not exceeding the following totals:

Hospital Provider Fund.....\$36,000,000

Health and Human Services Medicaid Trust Fund.....\$124,000,000.

Transfers of moneys under this Section may not exceed a total of \$80,000,000 in any State fiscal year.

(30 ILCS 105/25) (from Ch. 127, par. 161)

Sec. 25. Fiscal year limitations.

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

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

However, payment of tuition reimbursement claims under Section 14-7.03 or 18-3 of the School Code may be made by the State Board of Education from its appropriations for those respective purposes for any fiscal year, even though the claims reimbursed by the payment may be claims attributable to a prior fiscal year, and payments may be made at the direction of the State Superintendent of Education from the fund from which the appropriation is made without regard to any fiscal year limitations.

Medical payments may be made by the Department of Veterans' Affairs from its appropriations for those purposes for any fiscal year, without regard to the fact that the medical services being compensated for by such payment may have been rendered in a prior fiscal year.

Medical payments may be made by the Department of Public Aid and medical payments and child care payments may be made by the Department of Human Services (as successor to the Department of Public Aid) from appropriations for those purposes for any fiscal year, without regard to the fact that the medical or child care services being compensated for by such payment may have been rendered in a prior fiscal year; and payments may be made at the direction of the Department of Central Management Services from the Health Insurance Reserve Fund and the Local Government Health Insurance Reserve Fund without regard to any fiscal year limitations.

Medical payments may be made by the Department of Human Services from its appropriations relating to substance abuse treatment services for any fiscal year, without regard to the fact that the medical services being compensated for by such payment may have been rendered in a prior fiscal year, provided the payments are made on a fee-for-service basis consistent with requirements established for Medicaid reimbursement by the Department of Public Aid.

Additionally, payments may be made by the Department of Human Services from its appropriations, or any other State agency from its appropriations with the approval of the Department of Human Services, from the Immigration Reform and Control Fund for purposes authorized pursuant to the Immigration Reform and Control Act of 1986, without regard to any fiscal year limitations.

Further, with respect to costs incurred in fiscal years 2002 and 2003 only, payments may be made by the State Treasurer from its appropriations from the Capital Litigation Trust Fund without regard to any fiscal year limitations.

Lease payments may be made by the Department of Central Management Services under the sale and leaseback provisions of Section 7.4 of the State Property Control Act with respect to the James R. Thompson Center and the Elgin Mental Health Center and surrounding land from appropriations for that purpose without regard to any fiscal year limitations.

Lease payments may be made under the sale and leaseback provisions of Section 7.5 of the State Property Control Act with respect to the Illinois State Toll Highway Authority headquarters building and surrounding land without regard to any fiscal year limitations.

(c) Further, payments may be made by the Department of Public Health and the Department of Human Services (acting as successor to the Department of Public Health under the Department of Human Services Act) from their respective appropriations for grants for medical care to or on behalf of persons suffering from chronic renal disease, persons suffering from hemophilia, rape victims, and premature and high-mortality risk infants and their mothers and for grants for supplemental food supplies provided under the United States Department of Agriculture Women, Infants and Children Nutrition Program, for any fiscal year without regard to the fact that the services being compensated for by such payment may have been rendered in a prior fiscal year.

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

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

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

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

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

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

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

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

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

(1) billing user agencies in advance based on estimated charges for goods or services;

(2) issuing credits during the subsequent fiscal year for all user agency payments received during the prior fiscal year which were in excess of the final amounts owed by the user agency for that period; and

(3) issuing catch-up billings to user agencies during the subsequent fiscal year for amounts remaining due when payments received from the user agency during the prior fiscal year were less than the total amount owed for that period.

User agencies are authorized to reimburse internal service funds for catch-up billings by vouchers drawn against their respective appropriations for the fiscal year in which the catch-up billing was issued.

(Source: P.A. 92-885, eff. 1-13-03; 93-19, eff. 6-20-03.)

Section 22. The Illinois Income Tax Act is amended by changing Section 917 as follows:

(35 ILCS 5/917) (from Ch. 120, par. 9-917)

Sec. 917. Confidentiality and information sharing.

(a) Confidentiality. Except as provided in this Section, all information received by the Department from returns filed under this Act, or from any investigation conducted under the provisions of this Act, shall be confidential, except for official purposes within the Department or pursuant to official procedures for collection of any State tax or pursuant to an investigation or audit by the Illinois State Scholarship Commission of a delinquent student loan or monetary award or enforcement of any civil or criminal penalty or sanction imposed by this Act or by another statute imposing a State tax, and any person who divulges any such information in any manner, except for such purposes and pursuant to order of the Director or in accordance with a proper judicial order, shall be guilty of a Class A misdemeanor. However, the provisions of this paragraph are not applicable to information furnished to a licensed attorney representing the taxpayer where an appeal or a protest has been filed on behalf of the taxpayer.

(b) Public information. Nothing contained in this Act shall prevent the Director from publishing or making available to the public the names and addresses of persons filing returns under this Act, or from publishing or making available reasonable statistics concerning the operation of the tax wherein the contents of returns are grouped into aggregates in such a way that the information contained in any individual return shall not be disclosed.

(c) Governmental agencies. The Director may make available to the Secretary of the Treasury of the United States or his delegate, or the proper officer or his delegate of any other state imposing a tax upon or measured by income, for exclusively official purposes, information received by the Department in the administration of this Act, but such permission shall be granted only if the United States or such other state, as the case may be, grants the Department substantially similar privileges. The Director may exchange information with the Illinois Department of Public Aid and the Department of Human Services (acting as successor to the Department of Public Aid under the Department of Human Services Act) for the purpose of verifying sources and amounts of income and for other purposes directly connected with the administration of this Act and the Illinois Public Aid Code. The Director may exchange information with the Director of the Department of Employment Security for the purpose of verifying sources and amounts of income and for other purposes directly connected with the administration of this Act and Acts administered by the Department of Employment Security. The Director may make available to the Illinois Industrial Commission information regarding employers for the purpose of verifying the insurance coverage required under the Workers' Compensation Act and Workers' Occupational Diseases Act. The Director may exchange information with the Illinois Department on Aging for the purpose of verifying sources and amounts of income for purposes directly related to confirming eligibility for participation in the programs of benefits authorized by the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act.

The Director may make available to any State agency, including the Illinois Supreme Court, which licenses persons to engage in any occupation, information that a person licensed by such agency has failed to file returns under this Act or pay the tax, penalty and interest shown therein, or has failed to pay any final assessment of tax, penalty or interest due under this Act. The Director may make available to any State agency, including the Illinois Supreme Court, information regarding whether a bidder, contractor, or an affiliate of a bidder or contractor has failed to file returns under this Act or pay the tax, penalty, and interest shown therein, or has failed to pay any final assessment of tax, penalty, or interest due under this Act, for the limited purpose of enforcing bidder and contractor certifications. For purposes of this Section, the term "affiliate" means any entity that (1) directly, indirectly, or constructively controls another entity, (2) is directly, indirectly, or constructively controlled by another entity, or (3) is subject to the control of a common entity. For purposes of this subsection (a), an entity controls another entity if it owns, directly or individually, more than 10% of the voting securities of that entity. As used in this subsection (a), the term "voting security" means a security that (1) confers upon the holder the right to vote for the election of members of the board of directors or similar governing body of the business or (2) is convertible into, or entitles the holder to

receive upon its exercise, a security that confers such a right to vote. A general partnership interest is a voting security.

The Director may make available to any State agency, including the Illinois Supreme Court, units of local government, and school districts, information regarding whether a bidder or contractor is an affiliate of a person who is not collecting and remitting Illinois Use taxes, for the limited purpose of enforcing bidder and contractor certifications.

The Director may also make available to the Secretary of State information that a corporation which has been issued a certificate of incorporation by the Secretary of State has failed to file returns under this Act or pay the tax, penalty and interest shown therein, or has failed to pay any final assessment of tax, penalty or interest due under this Act. An assessment is final when all proceedings in court for review of such assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted. For taxable years ending on or after December 31, 1987, the Director may make available to the Director or principal officer of any Department of the State of Illinois, information that a person employed by such Department has failed to file returns under this Act or pay the tax, penalty and interest shown therein. For purposes of this paragraph, the word "Department" shall have the same meaning as provided in Section 3 of the State Employees Group Insurance Act of 1971.

(d) The Director shall make available for public inspection in the Department's principal office and for publication, at cost, administrative decisions issued on or after January 1, 1995. These decisions are to be made available in a manner so that the following taxpayer information is not disclosed:

(1) The names, addresses, and identification numbers of the taxpayer, related entities, and employees.

(2) At the sole discretion of the Director, trade secrets or other confidential information identified as such by the taxpayer, no later than 30 days after receipt of an administrative decision, by such means as the Department shall provide by rule.

The Director shall determine the appropriate extent of the deletions allowed in paragraph (2). In the event the taxpayer does not submit deletions, the Director shall make only the deletions specified in paragraph (1).

The Director shall make available for public inspection and publication an administrative decision within 180 days after the issuance of the administrative decision. The term "administrative decision" has the same meaning as defined in Section 3-101 of Article III of the Code of Civil Procedure. Costs collected under this Section shall be paid into the Tax Compliance and Administration Fund.

(e) Nothing contained in this Act shall prevent the Director from divulging information to any person pursuant to a request or authorization made by the taxpayer, by an authorized representative of the taxpayer, or, in the case of information related to a joint return, by the spouse filing the joint return with the taxpayer.

(Source: P.A. 93-25, eff. 6-20-03.)

Section 25. The Nursing Home Care Act is amended by changing Section 3-103 as follows:
(210 ILCS 45/3-103) (from Ch. 111 1/2, par. 4153-103)

Sec. 3-103. The procedure for obtaining a valid license shall be as follows:

(1) Application to operate a facility shall be made to the Department on forms furnished by the Department.

(2) All license applications shall be accompanied with an application fee. The fee for an annual license shall be ~~\$995 based on the licensed capacity of the facility and shall be determined as follows: 0-49 licensed beds, a flat fee of \$500; 50-99 licensed beds, a flat fee of \$750; and for any facility with 100 or more licensed beds, a fee of \$1,000 plus \$10 per licensed bed. Facilities that pay a fee or assessment pursuant to Article V-C of the Illinois Public Aid Code shall be exempt from the license fee imposed under this item (2).~~ The fee for a 2-year license shall be double the fee for the annual license set forth in the preceding sentence. ~~The first \$600,000 of such fees collected each fiscal year shall be deposited with the State Treasurer into the Long Term Care Monitor/Receiver Fund, which has been created as a special fund in the State treasury. Any such fees in excess of \$600,000 collected in a fiscal year shall be deposited into the General Revenue Fund.~~ This special fund is to be used by the Department for expenses related to the appointment of monitors and receivers as contained in Sections 3-501 through 3-517. At the end of each fiscal year, any funds in excess of \$1,000,000 held in the Long Term Care Monitor/Receiver Fund shall be deposited in the State's

General Revenue Fund. The application shall be under oath and the submission of false or misleading information shall be a Class A misdemeanor. The application shall contain the following information:

(a) The name and address of the applicant if an individual, and if a firm, partnership, or association, of every member thereof, and in the case of a corporation, the name and address thereof and of its officers and its registered agent, and in the case of a unit of local government, the name and address of its chief executive officer;

(b) The name and location of the facility for which a license is sought;

(c) The name of the person or persons under whose management or supervision the facility will be conducted;

(d) The number and type of residents for which maintenance, personal care, or nursing is to be provided; and

(e) Such information relating to the number, experience, and training of the employees of the facility, any management agreements for the operation of the facility, and of the moral character of the applicant and employees as the Department may deem necessary.

(3) Each initial application shall be accompanied by a financial statement setting forth the financial condition of the applicant and by a statement from the unit of local government having zoning jurisdiction over the facility's location stating that the location of the facility is not in violation of a zoning ordinance. An initial application for a new facility shall be accompanied by a permit as required by the "Illinois Health Facilities Planning Act". After the application is approved, the applicant shall advise the Department every 6 months of any changes in the information originally provided in the application.

(4) Other information necessary to determine the identity and qualifications of an applicant to operate a facility in accordance with this Act shall be included in the application as required by the Department in regulations.

(Source: P.A. 93-32, eff. 7-1-03.)

Section 27. The Pharmacy Practice Act of 1987 is amended by changing Section 25 as follows:

(225 ILCS 85/25) (from Ch. 111, par. 4145)

(Section scheduled to be repealed on January 1, 2008)

Sec. 25. No person shall compound, or sell or offer for sale, or cause to be compounded, sold or offered for sale any medicine or preparation under or by a name recognized in the United States Pharmacopoeia National Formulary, for internal or external use, which differs from the standard of strength, quality or purity as determined by the test laid down in the United States Pharmacopoeia National Formulary official at the time of such compounding, sale or offering for sale. Nor shall any person compound, sell or offer for sale, or cause to be compounded, sold, or offered for sale, any drug, medicine, poison, chemical or pharmaceutical preparation, the strength or purity of which shall fall below the professed standard of strength or purity under which it is sold. If the physician or other authorized prescriber, when transmitting an oral or written prescription, does not prohibit drug product selection, a different brand name or nonbrand name drug product of the same generic name may be dispensed by the pharmacist, provided that the selected drug has a unit price less than the drug product specified in the prescription ~~and provided that the selection is permitted, is not subject to review at a meeting of the Technical Advisory Council, is not subject to a hearing in accordance with this Section, or is not specifically prohibited by the current Drug Product Selection Formulary issued by the Department of Public Health pursuant to Section 3.14 of the Illinois Food, Drug and Cosmetics Act, as amended.~~ A generic drug determined to be therapeutically equivalent by the United States Food and Drug Administration (FDA) shall be available for substitution in Illinois in accordance with this Act and the Illinois Food, Drug and Cosmetic Act, provided that each manufacturer submits to the Director of the Department of Public Health a notification containing product technical bioequivalence information as a prerequisite to product substitution when they have completed all required testing to support FDA product approval and, in any event, the information shall be submitted no later than 60 days prior to product substitution in the State. ~~If the Technical Advisory Council finds that a generic drug product may have issues related to the practice of medicine or the practice of pharmacy, the Technical Advisory Council shall review the generic drug product at its next regularly scheduled Technical Advisory Council meeting. Following the Technical Advisory Council's review and initial recommendation that a generic drug product not be included in the Illinois Formulary, a hearing shall be conducted in accordance with the rules of the Department of Public Health and Article 10 of the Illinois Administrative Procedure Act if requested by the manufacturer. The Technical Advisory Council shall make its recommendation to the Department of Public Health within 20 business days~~

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~~after the public hearing. If the Department of Public Health, on the recommendation of the Technical Advisory Council, determines that, based upon a preponderance of the evidence, the drug is not bioequivalent, not therapeutically equivalent, or could cause clinically significant harm to the health or safety of patients receiving that generic drug, the Department of Public Health may prohibit the generic drug from substitution in the State. A decision by the Department of Public Health to prohibit a drug product from substitution shall constitute a final administrative decision within the meaning of Section 22.2 of the Illinois Food, Drug and Cosmetic Act and Section 3-101 of the Code of Civil Procedure, and shall be subject to judicial review pursuant to the provisions of Article III of the Administrative Review Law. A decision to prohibit a generic drug from substitution must be accompanied by a written detailed explanation of the basis for the decision.~~ On the prescription forms of prescribers, shall be placed a signature line and the words "may substitute" and "may not substitute". The prescriber, in his or her own handwriting, shall place a mark beside either the "may substitute" or "may not substitute" alternatives to guide the pharmacist in the dispensing of the prescription. A prescriber placing a mark beside the "may substitute" alternative or failing in his or her own handwriting to place a mark beside either alternative authorizes drug product selection in accordance with this Act. Preprinted or rubber stamped marks, or other deviations from the above prescription format shall not be permitted. The prescriber shall sign the form in his or her own handwriting to authorize the issuance of the prescription. When a person presents a prescription to be dispensed, the pharmacist to whom it is presented may inform the person if the pharmacy has available a different brand name or nonbrand name of the same generic drug prescribed and the price of the different brand name or nonbrand name of the drug product. If the person presenting the prescription is the one to whom the drug is to be administered, the pharmacist may dispense the prescription with the brand prescribed or a different brand name or nonbrand name product of the same generic name ~~that has been permitted by the Department of Public Health~~, if the drug is of lesser unit cost and the patient is informed and agrees to the selection and the pharmacist shall enter such information into the pharmacy record. If the person presenting the prescription is someone other than the one to whom the drug is to be administered the pharmacist shall not dispense the prescription with a brand other than the one specified in the prescription unless the pharmacist has the written or oral authorization to select brands from the person to whom the drug is to be administered or a parent, legal guardian or spouse of that person.

In every case in which a selection is made as permitted by the Illinois Food, Drug and Cosmetic Act, the pharmacist shall indicate on the pharmacy record of the filled prescription the name or other identification of the manufacturer of the drug which has been dispensed.

The selection of any drug product by a pharmacist shall not constitute evidence of negligence if the selected nonlegend drug product was of the same dosage form and each of its active ingredients did not vary by more than 1 percent from the active ingredients of the prescribed, brand name, nonlegend drug product ~~or if the selected legend drug product was included in the Illinois Drug Product Selection Formulary current at the time the prescription was dispensed.~~ Failure of a prescribing physician to specify that drug product selection is prohibited does not constitute evidence of negligence unless that practitioner has reasonable cause to believe that the health condition of the patient for whom the physician is prescribing warrants the use of the brand name drug product and not another.

The Department is authorized to employ an analyst or chemist of recognized or approved standing whose duty it shall be to examine into any claimed adulteration, illegal substitution, improper selection, alteration, or other violation hereof, and report the result of his investigation, and if such report justify such action the Department shall cause the offender to be prosecuted.

(Source: P.A. 91-766, eff. 9-1-00; 92-112, eff. 7-20-01.)

Section 30. The Illinois Public Aid Code is amended by changing Sections 5-5, 5-5.4, 5A-2, 5A-4, 5A-5, 5A-7, and 5A-12 and adding Sections 5-5.4c and 12-10.7 as follows:

(305 ILCS 5/5-5) (from Ch. 23, par. 5-5)

Sec. 5-5. Medical services. The Illinois Department, by rule, shall determine the quantity and quality of and the rate of reimbursement for the medical assistance for which payment will be authorized, and the medical services to be provided, which may include all or part of the following: (1) inpatient hospital services; (2) outpatient hospital services; (3) other laboratory and X-ray services; (4) skilled nursing home services; (5) physicians' services whether furnished in the office, the patient's home, a hospital, a skilled nursing home, or elsewhere; (6) medical care, or any other type of remedial care furnished by licensed practitioners; (7) home health care services; (8) private duty nursing service; (9) clinic services; (10) dental services; (11) physical therapy and related services; (12)

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prescribed drugs, dentures, and prosthetic devices; and eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select; (13) other diagnostic, screening, preventive, and rehabilitative services; (14) transportation and such other expenses as may be necessary; (15) medical treatment of sexual assault survivors, as defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act, for injuries sustained as a result of the sexual assault, including examinations and laboratory tests to discover evidence which may be used in criminal proceedings arising from the sexual assault; (16) the diagnosis and treatment of sickle cell anemia; and (17) any other medical care, and any other type of remedial care recognized under the laws of this State, but not including abortions, or induced miscarriages or premature births, unless, in the opinion of a physician, such procedures are necessary for the preservation of the life of the woman seeking such treatment, or except an induced premature birth intended to produce a live viable child and such procedure is necessary for the health of the mother or her unborn child. The Illinois Department, by rule, shall prohibit any physician from providing medical assistance to anyone eligible therefor under this Code where such physician has been found guilty of performing an abortion procedure in a wilful and wanton manner upon a woman who was not pregnant at the time such abortion procedure was performed. The term "any other type of remedial care" shall include nursing care and nursing home service for persons who rely on treatment by spiritual means alone through prayer for healing.

Notwithstanding any other provision of this Section, a comprehensive tobacco use cessation program that includes purchasing prescription drugs or prescription medical devices approved by the Food and Drug Administration shall be covered under the medical assistance program under this Article for persons who are otherwise eligible for assistance under this Article.

Notwithstanding any other provision of this Code, the Illinois Department may not require, as a condition of payment for any laboratory test authorized under this Article, that a physician's handwritten signature appear on the laboratory test order form. The Illinois Department may, however, impose other appropriate requirements regarding laboratory test order documentation.

The Illinois Department of Public Aid shall provide the following services to persons eligible for assistance under this Article who are participating in education, training or employment programs operated by the Department of Human Services as successor to the Department of Public Aid:

- (1) dental services, which shall include but not be limited to prosthodontics; and
- (2) eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an

optometrist, whichever the person may select.

The Illinois Department, by rule, may distinguish and classify the medical services to be provided only in accordance with the classes of persons designated in Section 5-2.

The Illinois Department shall authorize the provision of, and shall authorize payment for, screening by low-dose mammography for the presence of occult breast cancer for women 35 years of age or older who are eligible for medical assistance under this Article, as follows: a baseline mammogram for women 35 to 39 years of age and an annual mammogram for women 40 years of age or older. All screenings shall include a physical breast exam, instruction on self-examination and information regarding the frequency of self-examination and its value as a preventative tool. As used in this Section, "low-dose mammography" means the x-ray examination of the breast using equipment dedicated specifically for mammography, including the x-ray tube, filter, compression device, image receptor, and cassettes, with an average radiation exposure delivery of less than one rad mid-breast, with 2 views for each breast.

Any medical or health care provider shall immediately recommend, to any pregnant woman who is being provided prenatal services and is suspected of drug abuse or is addicted as defined in the Alcoholism and Other Drug Abuse and Dependency Act, referral to a local substance abuse treatment provider licensed by the Department of Human Services or to a licensed hospital which provides substance abuse treatment services. The Department of Public Aid shall assure coverage for the cost of treatment of the drug abuse or addiction for pregnant recipients in accordance with the Illinois Medicaid Program in conjunction with the Department of Human Services.

All medical providers providing medical assistance to pregnant women under this Code shall receive information from the Department on the availability of services under the Drug Free Families with a Future or any comparable program providing case management services for addicted women, including information on appropriate referrals for other social services that may be needed by addicted women in addition to treatment for addiction.

The Illinois Department, in cooperation with the Departments of Human Services (as successor to the Department of Alcoholism and Substance Abuse) and Public Health, through a public

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awareness campaign, may provide information concerning treatment for alcoholism and drug abuse and addiction, prenatal health care, and other pertinent programs directed at reducing the number of drug-affected infants born to recipients of medical assistance.

Neither the Illinois Department of Public Aid nor the Department of Human Services shall sanction the recipient solely on the basis of her substance abuse.

The Illinois Department shall establish such regulations governing the dispensing of health services under this Article as it shall deem appropriate. The Department should seek the advice of formal professional advisory committees appointed by the Director of the Illinois Department for the purpose of providing regular advice on policy and administrative matters, information dissemination and educational activities for medical and health care providers, and consistency in procedures to the Illinois Department.

The Illinois Department may develop and contract with Partnerships of medical providers to arrange medical services for persons eligible under Section 5-2 of this Code. Implementation of this Section may be by demonstration projects in certain geographic areas. The Partnership shall be represented by a sponsor organization. The Department, by rule, shall develop qualifications for sponsors of Partnerships. Nothing in this Section shall be construed to require that the sponsor organization be a medical organization.

The sponsor must negotiate formal written contracts with medical providers for physician services, inpatient and outpatient hospital care, home health services, treatment for alcoholism and substance abuse, and other services determined necessary by the Illinois Department by rule for delivery by Partnerships. Physician services must include prenatal and obstetrical care. The Illinois Department shall reimburse medical services delivered by Partnership providers to clients in target areas according to provisions of this Article and the Illinois Health Finance Reform Act, except that:

(1) Physicians participating in a Partnership and providing certain services, which shall be determined by the Illinois Department, to persons in areas covered by the Partnership may receive an additional surcharge for such services.

(2) The Department may elect to consider and negotiate financial incentives to encourage the development of Partnerships and the efficient delivery of medical care.

(3) Persons receiving medical services through Partnerships may receive medical and case management services above the level usually offered through the medical assistance program.

Medical providers shall be required to meet certain qualifications to participate in Partnerships to ensure the delivery of high quality medical services. These qualifications shall be determined by rule of the Illinois Department and may be higher than qualifications for participation in the medical assistance program. Partnership sponsors may prescribe reasonable additional qualifications for participation by medical providers, only with the prior written approval of the Illinois Department.

Nothing in this Section shall limit the free choice of practitioners, hospitals, and other providers of medical services by clients. In order to ensure patient freedom of choice, the Illinois Department shall immediately promulgate all rules and take all other necessary actions so that provided services may be accessed from therapeutically certified optometrists to the full extent of the Illinois Optometric Practice Act of 1987 without discriminating between service providers.

The Department shall apply for a waiver from the United States Health Care Financing Administration to allow for the implementation of Partnerships under this Section.

The Illinois Department shall require health care providers to maintain records that document the medical care and services provided to recipients of Medical Assistance under this Article. The Illinois Department shall require health care providers to make available, when authorized by the patient, in writing, the medical records in a timely fashion to other health care providers who are treating or serving persons eligible for Medical Assistance under this Article. All dispensers of medical services shall be required to maintain and retain business and professional records sufficient to fully and accurately document the nature, scope, details and receipt of the health care provided to persons eligible for medical assistance under this Code, in accordance with regulations promulgated by the Illinois Department. The rules and regulations shall require that proof of the receipt of prescription drugs, dentures, prosthetic devices and eyeglasses by eligible persons under this Section accompany each claim for reimbursement submitted by the dispenser of such medical services. No such claims for reimbursement shall be approved for payment by the Illinois Department without such proof of receipt, unless the Illinois Department shall have put into effect and shall be operating a system of post-payment audit and review which shall, on a sampling basis, be deemed adequate by the Illinois Department to assure that such drugs, dentures, prosthetic devices and eyeglasses for which payment is being made are actually being received by eligible recipients. Within 90 days after the

effective date of this amendatory Act of 1984, the Illinois Department shall establish a current list of acquisition costs for all prosthetic devices and any other items recognized as medical equipment and supplies reimbursable under this Article and shall update such list on a quarterly basis, except that the acquisition costs of all prescription drugs shall be updated no less frequently than every 30 days as required by Section 5-5.12.

The rules and regulations of the Illinois Department shall require that a written statement including the required opinion of a physician shall accompany any claim for reimbursement for abortions, or induced miscarriages or premature births. This statement shall indicate what procedures were used in providing such medical services.

The Illinois Department shall require all dispensers of medical services, other than an individual practitioner or group of practitioners, desiring to participate in the Medical Assistance program established under this Article to disclose all financial, beneficial, ownership, equity, surety or other interests in any and all firms, corporations, partnerships, associations, business enterprises, joint ventures, agencies, institutions or other legal entities providing any form of health care services in this State under this Article.

The Illinois Department may require that all dispensers of medical services desiring to participate in the medical assistance program established under this Article disclose, under such terms and conditions as the Illinois Department may by rule establish, all inquiries from clients and attorneys regarding medical bills paid by the Illinois Department, which inquiries could indicate potential existence of claims or liens for the Illinois Department.

Enrollment of a vendor that provides non-emergency medical transportation, defined by the Department by rule, shall be conditional for 180 days. During that time, the Department of Public Aid may terminate the vendor's eligibility to participate in the medical assistance program without cause. That termination of eligibility is not subject to the Department's hearing process.

The Illinois Department shall establish policies, procedures, standards and criteria by rule for the acquisition, repair and replacement of orthotic and prosthetic devices and durable medical equipment. Such rules shall provide, but not be limited to, the following services: (1) immediate repair or replacement of such devices by recipients without medical authorization; and (2) rental, lease, purchase or lease-purchase of durable medical equipment in a cost-effective manner, taking into consideration the recipient's medical prognosis, the extent of the recipient's needs, and the requirements and costs for maintaining such equipment. Such rules shall enable a recipient to temporarily acquire and use alternative or substitute devices or equipment pending repairs or replacements of any device or equipment previously authorized for such recipient by the Department. ~~Rules under clause (2) above shall not provide for purchase or lease-purchase of durable medical equipment or supplies used for the purpose of oxygen delivery and respiratory care.~~

The Department shall execute, relative to the nursing home prescreening project, written inter-agency agreements with the Department of Human Services and the Department on Aging, to effect the following: (i) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (ii) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped.

The Illinois Department shall develop and operate, in cooperation with other State Departments and agencies and in compliance with applicable federal laws and regulations, appropriate and effective systems of health care evaluation and programs for monitoring of utilization of health care services and facilities, as it affects persons eligible for medical assistance under this Code.

The Illinois Department shall report annually to the General Assembly, no later than the second Friday in April of 1979 and each year thereafter, in regard to:

- (a) actual statistics and trends in utilization of medical services by public aid recipients;
- (b) actual statistics and trends in the provision of the various medical services by medical vendors;
- (c) current rate structures and proposed changes in those rate structures for the various medical vendors; and
- (d) efforts at utilization review and control by the Illinois Department.

The period covered by each report shall be the 3 years ending on the June 30 prior to the report. The report shall include suggested legislation for consideration by the General Assembly. The filing of one copy of the report with the Speaker, one copy with the Minority Leader and one copy with the Clerk of the House of Representatives, one copy with the President, one copy with the Minority Leader and one copy with the Secretary of the Senate, one copy with the Legislative Research Unit, and such additional copies with the State Government Report Distribution Center for

the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act shall be deemed sufficient to comply with this Section.

(Source: P.A. 92-16, eff. 6-28-01; 92-651, eff. 7-11-02; 92-789, eff. 8-6-02; 93-632, eff. 2-1-04.)

(305 ILCS 5/5-5.4) (from Ch. 23, par. 5-5.4)

Sec. 5-5.4. Standards of Payment - Department of Public Aid. The Department of Public Aid shall develop standards of payment of skilled nursing and intermediate care services in facilities providing such services under this Article which:

(1) Provide for the determination of a facility's payment for skilled nursing and intermediate care services on a prospective basis. The amount of the payment rate for all nursing facilities certified by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities, Long Term Care for Under Age 22 facilities, Skilled Nursing facilities, or Intermediate Care facilities under the medical assistance program shall be prospectively established annually on the basis of historical, financial, and statistical data reflecting actual costs from prior years, which shall be applied to the current rate year and updated for inflation, except that the capital cost element for newly constructed facilities shall be based upon projected budgets. The annually established payment rate shall take effect on July 1 in 1984 and subsequent years. No rate increase and no update for inflation shall be provided on or after July 1, 1994 and before July 1, ~~2005~~ ~~2004~~, unless specifically provided for in this Section. The changes made by this amendatory Act of the 93rd General Assembly extending the duration of the prohibition against a rate increase or update for inflation are effective retroactive to July 1, 2004.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 1998 shall include an increase of 3%. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 1998 shall include an increase of 3% plus \$1.10 per resident-day, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 1999 shall include an increase of 1.6% plus \$3.00 per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 1999 shall include an increase of 1.6% and, for services provided on or after October 1, 1999, shall be increased by \$4.00 per resident-day, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 2000 shall include an increase of 2.5% per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 2000 shall include an increase of 2.5% per resident-day, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, a new payment methodology must be implemented for the nursing component of the rate effective July 1, 2003. The Department of Public Aid shall develop the new payment methodology using the Minimum Data Set (MDS) as the instrument to collect information concerning nursing home resident condition necessary to compute the rate. The Department of Public Aid shall develop the new payment methodology to meet the unique needs of Illinois nursing home residents while remaining subject to the appropriations provided by the General Assembly. A transition period from the payment methodology in effect on June 30, 2003 to the payment methodology in effect on July 1, 2003 shall be provided for a period not exceeding 2 years after implementation of the new payment methodology as follows:

(A) For a facility that would receive a lower nursing component rate per patient day

under the new system than the facility received effective on the date immediately preceding the date that the Department implements the new payment methodology, the nursing component rate per patient day for the facility shall be held at the level in effect on the date immediately preceding the date that the Department implements the new payment methodology until a higher nursing component rate of reimbursement is achieved by that facility.

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(B) For a facility that would receive a higher nursing component rate per patient day under the payment methodology in effect on July 1, 2003 than the facility received effective on the date immediately preceding the date that the Department implements the new payment methodology, the nursing component rate per patient day for the facility shall be adjusted.

(C) Notwithstanding paragraphs (A) and (B), the nursing component rate per patient day for the facility shall be adjusted subject to appropriations provided by the General Assembly.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on March 1, 2001 shall include a statewide increase of 7.85%, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on April 1, 2002 shall include a statewide increase of 2.0%, as defined by the Department. This increase terminates on July 1, 2002; beginning July 1, 2002 these rates are reduced to the level of the rates in effect on March 31, 2002, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the rates taking effect on July 1, 2001 shall be computed using the most recent cost reports on file with the Department of Public Aid no later than April 1, 2000, updated for inflation to January 1, 2001. For rates effective July 1, 2001 only, rates shall be the greater of the rate computed for July 1, 2001 or the rate effective on June 30, 2001.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the Illinois Department shall determine by rule the rates taking effect on July 1, 2002, which shall be 5.9% less than the rates in effect on June 30, 2002.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, if the payment methodologies required under Section 5A-12 and the waiver granted under 42 CFR 433.68 are approved by the United States Centers for Medicare and Medicaid Services, the Illinois Department shall determine by rule the rates taking effect on July 1, ~~2004 2003~~, which shall be 3.0% ~~greater less~~ than the rates in effect on June 30, ~~2004 2002~~. ~~These rates~~ This rate shall take effect only upon approval and implementation of the payment methodologies required under Section 5A-12.

Notwithstanding any other provisions of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the rates taking effect on January 1, 2005 shall be 3% more than the rates in effect on December 31, 2004.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or as long-term care facilities for residents under 22 years of age, the rates taking effect on July 1, 2003 shall include a statewide increase of 4%, as defined by the Department.

Rates established effective each July 1 shall govern payment for services rendered throughout that fiscal year, except that rates established on July 1, 1996 shall be increased by 6.8% for services provided on or after January 1, 1997. Such rates will be based upon the rates calculated for the year beginning July 1, 1990, and for subsequent years thereafter until June 30, 2001 shall be based on the facility cost reports for the facility fiscal year ending at any point in time during the previous calendar year, updated to the midpoint of the rate year. The cost report shall be on file with the Department no later than April 1 of the current rate year. Should the cost report not be on file by April 1, the Department shall base the rate on the latest cost report filed by each skilled care facility and intermediate care facility, updated to the midpoint of the current rate year. In determining rates for services rendered on and after July 1, 1985, fixed time shall not be computed at less than zero. The Department shall not make any alterations of regulations which would reduce any component of the Medicaid rate to a level below what that component would have been utilizing in the rate effective on July 1, 1984.

(2) Shall take into account the actual costs incurred by facilities in providing services for recipients of skilled nursing and intermediate care services under the medical assistance program.

(3) Shall take into account the medical and psycho-social characteristics and needs of the patients.

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(4) Shall take into account the actual costs incurred by facilities in meeting licensing and certification standards imposed and prescribed by the State of Illinois, any of its political subdivisions or municipalities and by the U.S. Department of Health and Human Services pursuant to Title XIX of the Social Security Act.

The Department of Public Aid shall develop precise standards for payments to reimburse nursing facilities for any utilization of appropriate rehabilitative personnel for the provision of rehabilitative services which is authorized by federal regulations, including reimbursement for services provided by qualified therapists or qualified assistants, and which is in accordance with accepted professional practices. Reimbursement also may be made for utilization of other supportive personnel under appropriate supervision.

(Source: P.A. 92-10, eff. 6-11-01; 92-31, eff. 6-28-01; 92-597, eff. 6-28-02; 92-651, eff. 7-11-02; 92-848, eff. 1-1-03; 93-20, eff. 6-20-03; 93-649, eff. 1-8-04; 93-659, eff. 2-3-04; revised 2-3-04.)

(305 ILCS 5/5-5.4c new)

Sec. 5-5.4c. Bed reserves; approval. The Department of Public Aid shall approve bed reserves at a daily rate of 75% of an individual's current Medicaid per diem, for nursing facilities 90% or more of whose residents are Medicaid recipients and that have occupancy levels of at least 93% for resident bed reserves not exceeding 10 days.

(305 ILCS 5/5A-2) (from Ch. 23, par. 5A-2)

(Section scheduled to be repealed on July 1, 2005)

Sec. 5A-2. Assessment; no local authorization to tax.

(a) Subject to Sections 5A-3 and 5A-10, an annual assessment on inpatient services is imposed on each hospital provider in an amount equal to the hospital's occupied bed days multiplied by \$84.19 for State fiscal years 2004 and 2005, if the payment methodologies required under 5A-12 and the waiver granted under 42 CFR 433.68 are approved with an effective date prior to July 1, 2004; or the assessment will be imposed for fiscal year 2005 only, if the payment methodologies required under Section 5A-12 and the waiver granted under 42 CFR 433.68 are approved with an effective date on or after July 1, 2004 in an amount equal to the hospital's occupied bed days multiplied by \$84.19.

The Department of Public Aid shall use the number of occupied bed days as reported by each hospital on the Annual Survey of Hospitals conducted by the Department of Public Health to calculate the hospital's annual assessment. If the sum of a hospital's occupied bed days is not reported on the Annual Survey of Hospitals or if there are data errors in the reported sum of a hospital's occupied bed days as determined by the Department of Public Aid, then the Department of Public Aid may obtain the sum of occupied bed days from any source available, including, but not limited to, records maintained by the hospital provider, which may be inspected at all times during business hours of the day by the Department of Public Aid or its duly authorized agents and employees.

(b) Nothing in this amendatory Act of the 93rd General Assembly shall be construed to authorize any home rule unit or other unit of local government to license for revenue or to impose a tax or assessment upon hospital providers or the occupation of hospital provider, or a tax or assessment measured by the income or earnings of a hospital provider.

(c) As provided in Section 5A-14, this Section is repealed on July 1, 2005.

(Source: P.A. 93-659, eff. 2-3-04.)

(305 ILCS 5/5A-4) (from Ch. 23, par. 5A-4)

Sec. 5A-4. Payment of assessment; penalty.

(a) The annual assessment imposed by Section 5A-2 for State fiscal year 2004 shall be due and payable on June 18 of the year. The assessment imposed by Section 5A-2 for State fiscal year 2005 shall be due and payable in quarterly installments, each equalling one-fourth of the assessment for the year, on July 19, October 19, January 18, and April 19 of the year. No installment payment of an assessment imposed by Section 5A-2 shall be due and payable, however, until after: (i) the hospital provider receives written notice from the Department of Public Aid that the payment methodologies to hospitals required under Section 5A-12 have been approved by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services and the waiver under 42 CFR 433.68 for the assessment imposed by Section 5A-2 has been granted by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services; and (ii) the hospital has received the payments required under Section 5A-12. Upon notification to the Department of approval of the payment methodologies required under Section 5A-12 and the waiver granted under 42 CFR 433.68, all quarterly installments otherwise due under Section 5A-2 prior to the date of notification shall be due and payable to the Department within 30 days of the date of notification.

(b) The Illinois Department is authorized to establish delayed payment schedules for hospital providers that are unable to make installment payments when due under this Section due to financial difficulties, as determined by the Illinois Department.

(c) If a hospital provider fails to pay the full amount of an installment when due (including any extensions granted under subsection (b)), there shall, unless waived by the Illinois Department for reasonable cause, be added to the assessment imposed by Section 5A-2 a penalty assessment equal to the lesser of (i) 5% of the amount of the installment not paid on or before the due date plus 5% of the portion thereof remaining unpaid on the last day of each 30-day period thereafter or (ii) 100% of the installment amount not paid on or before the due date. For purposes of this subsection, payments will be credited first to unpaid installment amounts (rather than to penalty or interest), beginning with the most delinquent installments.

(Source: P.A. 93-659, eff. 2-3-04.)

(305 ILCS 5/5A-5) (from Ch. 23, par. 5A-5)

Sec. 5A-5. Notice; penalty; maintenance of records.

(a) ~~After December 31 of each year (except as otherwise provided in this subsection), and on or before March 31 of the succeeding year, the~~ The Department of Public Aid shall send a notice of assessment to every hospital provider subject to assessment under this Article. The notice of assessment shall notify the hospital of its assessment ~~and for the State fiscal year commencing on the next July 1, except that the notice for the State fiscal year commencing July 1, 2003 shall be sent within 14 days of receipt by the Department of notification from the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services that the payment methodologies required under Section 5A-12 and the waiver granted under 42 CFR 433.68 have been approved on or before June 1, 2004.~~ The notice shall be on a form prepared by the Illinois Department and shall state the following:

(1) The name of the hospital provider.

(2) The address of the hospital provider's principal place of business from which the provider engages in the occupation of hospital provider in this State, and the name and address of each hospital operated, conducted, or maintained by the provider in this State.

(3) The occupied bed days of the hospital provider, the amount of assessment imposed under Section 5A-2 for the State fiscal year for which the notice is sent, and the amount of each quarterly installment to be paid during the State fiscal year.

(4) (Blank).

(5) Other reasonable information as determined by the Illinois Department.

(b) If a hospital provider conducts, operates, or maintains more than one hospital licensed by the Illinois Department of Public Health, the provider shall pay the assessment for each hospital separately.

(c) Notwithstanding any other provision in this Article, in the case of a person who ceases to conduct, operate, or maintain a hospital in respect of which the person is subject to assessment under this Article as a hospital provider, the assessment for the State fiscal year in which the cessation occurs shall be adjusted by multiplying the assessment computed under Section 5A-2 by a fraction, the numerator of which is the number of days in the year during which the provider conducts, operates, or maintains the hospital and the denominator of which is 365. Immediately upon ceasing to conduct, operate, or maintain a hospital, the person shall pay the assessment for the year as so adjusted (to the extent not previously paid).

(d) Notwithstanding any other provision in this Article, a provider who commences conducting, operating, or maintaining a hospital, upon notice by the Illinois Department, shall pay the assessment computed under Section 5A-2 and subsection (e) in installments on the due dates stated in the notice and on the regular installment due dates for the State fiscal year occurring after the due dates of the initial notice.

(e) Notwithstanding any other provision in this Article, in the case of a hospital provider that did not conduct, operate, or maintain a hospital throughout calendar year 2001, the assessment for that State fiscal year shall be computed on the basis of hypothetical occupied bed days for the full calendar year as determined by the Illinois Department.

(f) (Blank).

(g) (Blank).

(h) (Blank).

(Source: P.A. 93-659, eff. 2-3-04.)

(305 ILCS 5/5A-7) (from Ch. 23, par. 5A-7)

Sec. 5A-7. Administration; enforcement provisions.

(a) The Illinois Department shall establish and maintain a listing of all hospital providers appearing in the licensing records of the Illinois Department of Public Health, which shall show each provider's name and principal place of business and the name and address of each hospital operated, conducted, or maintained by the provider in this State. The Illinois Department shall administer and enforce this Article and collect the assessments and penalty assessments imposed under this Article using procedures employed in its administration of this Code generally. The Illinois Department, its Director, and every hospital provider subject to assessment measured by occupied bed days shall have the following powers, duties, and rights:

(1) The Illinois Department may initiate either administrative or judicial proceedings, or both, to enforce provisions of this Article. Administrative enforcement proceedings initiated hereunder shall be governed by the Illinois Department's administrative rules. Judicial enforcement proceedings initiated hereunder shall be governed by the rules of procedure applicable in the courts of this State.

(2) No proceedings for collection, refund, credit, or other adjustment of an assessment amount shall be issued more than 3 years after the due date of the assessment, except in the case of an extended period agreed to in writing by the Illinois Department and the hospital provider before the expiration of this limitation period.

(3) Any unpaid assessment under this Article shall become a lien upon the assets of the hospital upon which it was assessed. If any hospital provider, outside the usual course of its business, sells or transfers the major part of any one or more of (A) the real property and improvements, (B) the machinery and equipment, or (C) the furniture or fixtures, of any hospital that is subject to the provisions of this Article, the seller or transferor shall pay the Illinois Department the amount of any assessment, assessment penalty, and interest (if any) due from it under this Article up to the date of the sale or transfer. If the seller or transferor fails to pay any assessment, assessment penalty, and interest (if any) due, the purchaser or transferee of such asset shall be liable for the amount of the assessment, penalties, and interest (if any) up to the amount of the reasonable value of the property acquired by the purchaser or transferee. The purchaser or transferee shall continue to be liable until the purchaser or transferee pays the full amount of the assessment, penalties, and interest (if any) up to the amount of the reasonable value of the property acquired by the purchaser or transferee or until the purchaser or transferee receives from the Illinois Department a certificate showing that such assessment, penalty, and interest have been paid or a certificate from the Illinois Department showing that no assessment, penalty, or interest is due from the seller or transferor under this Article.

(4) Payments under this Article are not subject to the Illinois Prompt Payment Act. Credits or refunds shall not bear interest.

(b) In addition to any other remedy provided for and without sending a notice of assessment liability, the Illinois Department may collect an unpaid assessment by withholding, as payment of the assessment, reimbursements or other amounts otherwise payable by the Illinois Department to the hospital provider.

(a) To the extent practicable, the Illinois Department shall administer and enforce this Article and collect the assessments, interest, and penalty assessments imposed under this Article using procedures employed in its administration of this Code generally and, as it deems appropriate, in a manner similar to that in which the Department of Revenue administers and collects the retailers' occupation tax under the Retailers' Occupation Tax Act ("ROTA"). Instead of certificates of registration, the Illinois Department shall establish and maintain a listing of all hospital providers appearing in the licensing records of the Department of Public Health, which shall show each provider's name, principal place of business, and the name and address of each hospital operated, conducted, or maintained by the provider in this State. In addition, the following specified provisions of the Retailers' Occupation Tax Act are incorporated by reference into this Section except that the Illinois Department and its Director (rather than the Department of Revenue and its Director) and every hospital provider subject to assessment measured by occupied bed days (rather than persons subject to retailers' occupation tax measured by gross receipts from the sale of tangible personal property at retail) shall have the powers, duties, and rights specified in these ROTA provisions, as modified in this Section or by the Illinois Department in a manner consistent with this Article and except as manifestly inconsistent with the other provisions of this Article:

(1) ROTA, Section 4 (examination of return; notice of correction; evidence; limitations; protest and hearing), except that (i) the Illinois Department shall issue notices of assessment liability (rather than notices of tax liability as provided in ROTA, Section 4); (ii) in the case of a fraudulent return or in the case of an extended period agreed to by the Illinois Department and the hospital provider before the expiration of the limitation period, no notice of assessment liability shall be issued more than 3 years after the later of the due date of the return required by Section 5A-5 or the date the

return (or an amended return) was filed (rather within the period stated in ROTA, Section 4); and (iii) the penalty provisions of ROTA, Section 4 shall not apply.

~~(2) ROTA, Sec. 5 (failure to make return; failure to pay assessment), except that the penalty and interest provisions of ROTA, Section 5 shall not apply;~~

~~(3) ROTA, Section 5a (lien; attachment; termination; notice; protest; review; release of lien; status of lien);~~

~~(4) ROTA, Section 5b (State lien notices; State lien index; duties of recorder and registrar of titles);~~

~~(5) ROTA, Section 5c (liens; certificate of release);~~

~~(6) ROTA, Section 5d (Department not required to furnish bond; claim to property attached or levied upon);~~

~~(7) ROTA, Section 5e (foreclosure on liens; enforcement);~~

~~(8) ROTA, Section 5f (demand for payment; levy and sale of property; limitation);~~

~~(9) ROTA, Section 5g (sale of property; redemption);~~

~~(10) ROTA, Section 5j (sales on transfers outside usual course of business; report; payment of assessment; rights and duties of purchaser; penalty), except that notice shall be provided to the Illinois Department as specified by rule;~~

~~(11) ROTA, Section 6 (erroneous payments; credit or refund), provided that (i) the Illinois Department may only apply an amount otherwise subject to credit or refund to a liability arising under this Article; (ii) except in the case of an extended period agreed to by the Illinois Department and the hospital provider before the expiration of this limitation period, a claim for credit or refund must be filed no more than 3 years after the due date of the return required by Section 5A-5 (rather than the time limitation stated in ROTA, Section 6); and (iii) credits or refunds shall not bear interest;~~

~~(12) ROTA, Section 6a (claims for credit or refund);~~

~~(13) ROTA, Section 6b (tentative determination of claim; notice; hearing; review), provided that a hospital provider or its representative shall have 60 days (rather than 20 days) within which to file a protest and request for hearing in response to a tentative determination of claim;~~

~~(14) ROTA, Section 6c (finality of tentative determinations);~~

~~(15) ROTA, Section 8 (investigations and hearings);~~

~~(16) ROTA, Section 9 (witness; immunity);~~

~~(17) ROTA, Section 10 (issuance of subpoenas; attendance of witnesses; production of books and records);~~

~~(18) ROTA, Section 11 (information confidential; exceptions);~~

~~(19) ROTA, Section 12 (rules and regulations; hearing; appeals), except that a hospital provider shall not be required to file a bond or be subject to a lien in lieu thereof in order to seek court review under the Administrative Review Law of a final assessment or revised final assessment or the equivalent thereof issued by the Illinois Department under this Article.~~

~~(b) In addition to any other remedy provided for and without sending a notice of assessment liability, the Illinois Department may collect an unpaid assessment by withholding, as payment of the assessment, reimbursements or other amounts otherwise payable by the Illinois Department to the provider.~~

(Source: P.A. 93-659, eff. 2-3-04.)

(305 ILCS 5/5A-12)

(Section scheduled to be repealed on July 1, 2005)

Sec. 5A-12. Hospital access improvement payments.

(a) To improve access to hospital services, for hospital services rendered on or after June 1, 2004, the Department of Public Aid shall make payments to hospitals as set forth in this Section, except for hospitals described in subsection (b) of Section 5A-3. These payments shall be paid on a quarterly basis. For State fiscal year 2004, if the effective date of the approval of the payment methodology required under this Section and the waiver granted under 42 CFR 433.68 by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services is prior to July 1, 2004, the Department shall pay the total amounts required for fiscal year 2004 under this Section within 25 days of the latest notification ; these amounts shall be paid on or before June 15 of the year. No payment shall be made for State fiscal year 2004 if the effective date of the approval is on or after July 1, 2004. In State fiscal year 2005 subsequent State fiscal years, the total amounts required under this Section shall be paid in 4 equal installments on or before July 15, October 15, January 14, and April 15 of the year , except that if the date of notification of the approval of the payment methodologies required under this Section and the waiver granted under 42 CFR 433.68 is on or after July 1, 2004, the sum of amounts required under this Section prior to the date of notification shall be

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paid within 25 days of the date of the last notification. Payments under this Section are not due and payable, however, until (i) the methodologies described in this Section are approved by the federal government in an appropriate State Plan amendment, (ii) the assessment imposed under this Article is determined to be a permissible tax under Title XIX of the Social Security Act, and (iii) the assessment is in effect.

(b) High volume payment. In addition to rates paid for inpatient hospital services, the Department of Public Aid shall pay, to each Illinois hospital that provided more than 20,000 Medicaid inpatient days of care during State fiscal year 2001 (except for hospitals that qualify for adjustment payments under Section 5-5.02 for the 12-month period beginning on October 1, 2002), \$190 for each Medicaid inpatient day of care provided during that fiscal year. A hospital that provided less than 30,000 Medicaid inpatient days of care during that period, however, is not entitled to receive more than \$3,500,000 per year in such payments.

(c) Medicaid inpatient utilization rate adjustment. In addition to rates paid for inpatient hospital services, the Department of Public Aid shall pay each Illinois hospital (except for hospitals described in Section 5A-3), for each Medicaid inpatient day of care provided during State fiscal year 2001, an amount equal to the product of \$57.25 multiplied by the quotient of 1 divided by the greater of 1.6% or the hospital's Medicaid inpatient utilization rate (as used to determine eligibility for adjustment payments under Section 5-5.02 for the 12-month period beginning on October 1, 2002). The total payments under this subsection to a hospital may not exceed \$10,500,000 annually.

(d) Psychiatric base rate adjustment.

(1) In addition to rates paid for inpatient psychiatric services, the Department of Public Aid shall pay each Illinois general acute care hospital with a distinct part-psychiatric unit, for each Medicaid inpatient psychiatric day of care provided in State fiscal year 2001, an amount equal to \$400 less the hospital's per-diem rate for Medicaid inpatient psychiatric services as in effect on October 1, 2003. In no event, however, shall that amount be less than zero.

(2) For distinct part-psychiatric units of Illinois general acute care hospitals, except for all hospitals excluded in Section 5A-3, whose inpatient per-diem rate as in effect on October 1, 2003 is greater than \$400, the Department shall pay, in addition to any other amounts authorized under this Code, \$25 for each Medicaid inpatient psychiatric day of care provided in State fiscal year 2001.

(e) Supplemental tertiary care adjustment. In addition to rates paid for inpatient services, the Department of Public Aid shall pay to each Illinois hospital eligible for tertiary care adjustment payments under 89 Ill. Adm. Code 148.296, as in effect for State fiscal year 2003, a supplemental tertiary care adjustment payment equal to the tertiary care adjustment payment required under 89 Ill. Adm. Code 148.296, as in effect for State fiscal year 2003.

(f) Medicaid outpatient utilization rate adjustment. In addition to rates paid for outpatient hospital services, the Department of Public Aid shall pay each Illinois hospital (except for hospitals described in Section 5A-3), an amount equal to the product of 2.45% multiplied by the hospital's Medicaid outpatient charges multiplied by the quotient of 1 divided by the greater of 1.6% or the hospital's Medicaid outpatient utilization rate. The total payments under this subsection to a hospital may not exceed \$6,750,000 annually.

For purposes of this subsection:

"Medicaid outpatient charges" means the charges for outpatient services provided to Medicaid patients for State fiscal year 2001 as submitted by the hospital on the UB-92 billing form or under the ambulatory procedure listing and adjudicated by the Department of Public Aid on or before September 12, 2003.

"Medicaid outpatient utilization rate" means a fraction, the numerator of which is the hospital's Medicaid outpatient charges and the denominator of which is the total number of the hospital's charges for outpatient services for the hospital's fiscal year ending in 2001.

(g) State outpatient service adjustment. In addition to rates paid for outpatient hospital services, the Department of Public Aid shall pay each Illinois hospital an amount equal to the product of 75.5% multiplied by the hospital's Medicaid outpatient services submitted to the Department on the UB-92 billing form for State fiscal year 2001 multiplied by the hospital's outpatient access fraction.

For purposes of this subsection, "outpatient access fraction" means a fraction, the numerator of which is the hospital's Medicaid payments for outpatient services for ambulatory procedure listing services submitted to the Department on the UB-92 billing form for State fiscal year 2001, and the denominator of which is the hospital's Medicaid outpatient services submitted to the Department on the UB-92 billing form for State fiscal year 2001.

The total payments under this subsection to a hospital may not exceed \$3,000,000 annually.

(h) Rural hospital outpatient adjustment. In addition to rates paid for outpatient hospital services, the Department of Public Aid shall pay each Illinois rural hospital an amount equal to the product of \$14,500,000 multiplied by the rural hospital outpatient adjustment fraction.

For purposes of this subsection, "rural hospital outpatient adjustment fraction" means a fraction, the numerator of which is the hospital's Medicaid visits for outpatient services for ambulatory procedure listing services submitted to the Department on the UB-92 billing form for State fiscal year 2001, and the denominator of which is the total Medicaid visits for outpatient services for ambulatory procedure listing services for all Illinois rural hospitals submitted to the Department on the UB-92 billing form for State fiscal year 2001.

For purposes of this subsection, "rural hospital" has the same meaning as in 89 Ill. Adm. Code 148.25, as in effect on September 30, 2003.

(i) Merged/closed hospital adjustment. If any hospital files a combined Medicaid cost report with another hospital after January 1, 2001, and if that hospital subsequently closes, then except for the payments described in subsection (e), all payments described in the various subsections of this Section shall, before the application of the annual limitation amount specified in each such subsection, be multiplied by a fraction, the numerator of which is the number of occupied bed days attributable to the open hospital and the denominator of which is the sum of the number of occupied bed days of each open hospital and each closed hospital. For purposes of this subsection, "occupied bed days" has the same meaning as the term is defined in subsection (a) of Section 5A-2.

(j) For purposes of this Section, the terms "Medicaid days", "Medicaid charges", and "Medicaid services" do not include any days, charges, or services for which Medicare was liable for payment.

(k) As provided in Section 5A-14, this Section is repealed on July 1, 2005.

(Source: P.A. 93-659, eff. 2-3-04.)

(305 ILCS 5/12-10.7 new)

Sec. 12-10.7. The Health and Human Services Medicaid Trust Fund.

(a) The Health and Human Services Medicaid Trust Fund shall consist of (i) moneys appropriated or transferred into the Fund, pursuant to statute, (ii) federal financial participation moneys received pursuant to expenditures from the Fund, and (iii) the interest earned on moneys in the Fund.

(b) Subject to appropriation, the moneys in the Fund shall be used by a State agency for such purposes as that agency may, by the appropriation language, be directed.

Section 35. The Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act is amended by changing Section 6 as follows:

(320 ILCS 25/6) (from Ch. 67 1/2, par. 406)

Sec. 6. Administration.

(a) In general. Upon receipt of a timely filed claim, the Department shall determine whether the claimant is a person entitled to a grant under this Act and the amount of grant to which he is entitled under this Act. The Department may require the claimant to furnish reasonable proof of the statements of domicile, household income, rent paid, property taxes accrued and other matters on which entitlement is based, and may withhold payment of a grant until such additional proof is furnished.

(b) Rental determination. If the Department finds that the gross rent used in the computation by a claimant of rent constituting property taxes accrued exceeds the fair rental value for the right to occupy that residence, the Department may determine the fair rental value for that residence and recompute rent constituting property taxes accrued accordingly.

(c) Fraudulent claims. The Department shall deny claims which have been fraudulently prepared or when it finds that the claimant has acquired title to his residence or has paid rent for his residence primarily for the purpose of receiving a grant under this Act.

(d) Pharmaceutical Assistance. The Department shall allow all pharmacies licensed under the Pharmacy Practice Act of 1987 to participate as authorized pharmacies unless they have been removed from that status for cause pursuant to the terms of this Section. The Director of the Department may enter into a written contract with any State agency, instrumentality or political subdivision, or a fiscal intermediary for the purpose of making payments to authorized pharmacies for covered prescription drugs and coordinating the program of pharmaceutical assistance established by this Act with other programs that provide payment for covered prescription drugs. Such agreement shall establish procedures for properly contracting for pharmacy services, validating reimbursement claims, validating compliance of dispensing pharmacists with the contracts for participation required under

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this Section, validating the reasonable costs of covered prescription drugs, and otherwise providing for the effective administration of this Act.

The Department shall promulgate rules and regulations to implement and administer the program of pharmaceutical assistance required by this Act, which shall include the following:

(1) Execution of contracts with pharmacies to dispense covered prescription drugs. Such contracts shall stipulate terms and conditions for authorized pharmacies participation and the rights of the State to terminate such participation for breach of such contract or for violation of this Act or related rules and regulations of the Department;

(2) Establishment of maximum limits on the size of prescriptions, new or refilled, which shall be in amounts sufficient for 34 days, except as otherwise specified by rule for medical or utilization control reasons;

(3) Establishment of liens upon any and all causes of action which accrue to a beneficiary as a result of injuries for which covered prescription drugs are directly or indirectly required and for which the Director made payment or became liable for under this Act;

(4) Charge or collection of payments from third parties or private plans of assistance, or from other programs of public assistance for any claim that is properly chargeable under the assignment of benefits executed by beneficiaries as a requirement of eligibility for the pharmaceutical assistance identification card under this Act;

(4.5) Provision for automatic enrollment of beneficiaries into a Medicare Discount Card program authorized under the federal Medicare Modernization Act of 2003 (P.L. 108-391) to coordinate coverage including Medicare Transitional Assistance;

(5) Inspection of appropriate records and audit of participating authorized pharmacies to ensure contract compliance, and to determine any fraudulent transactions or practices under this Act;

(6) Annual determination of the reasonable costs of covered prescription drugs for which payments are made under this Act, as provided in Section 3.16;

(7) Payment to pharmacies under this Act in accordance with the State Prompt Payment Act.

The Department shall annually report to the Governor and the General Assembly by March 1st of each year on the administration of pharmaceutical assistance under this Act. By the effective date of this Act the Department shall determine the reasonable costs of covered prescription drugs in accordance with Section 3.16 of this Act.

(Source: P.A. 91-357, eff. 7-29-99; 92-651, eff. 7-11-02.)

Section 40. The Illinois Food, Drug and Cosmetic Act is amended by changing Section 3.14 as follows:

(410 ILCS 620/3.14) (from Ch. 56 1/2, par. 503.14)

Sec. 3.14. Dispensing or causing to be dispensed a different drug in place of the drug or brand of drug ordered or prescribed without the express permission of the person ordering or prescribing. However, this Section does not prohibit the interchange of different brands of the same generically equivalent drug product, when the drug products are not required to bear the legend "Caution: Federal law prohibits dispensing without prescription", provided that the same dosage form is dispensed and there is no greater than 1% variance in the stated amount of each active ingredient of the drug products. ~~Nothing in this Section shall prohibit the selection of different brands of the same generic drug, based upon a drug formulary listing which is developed, maintained, and issued by the Department of Public Health under which drug product selection is permitted, is not subject to review at a meeting of the Technical Advisory Council, is not subject to a hearing in accordance with this Section, or is not specifically prohibited.~~ A generic drug determined to be therapeutically equivalent by the United States Food and Drug Administration (FDA) shall be available for substitution in Illinois in accordance with this Act and the Pharmacy Practice Act of 1987, provided that each manufacturer submits to the Director of the Department of Public Health a notification containing product technical bioequivalence information as a prerequisite to product substitution when they have completed all required testing to support FDA product approval and, in any event, the information shall be submitted no later than 60 days prior to product substitution in the State. ~~If the Technical Advisory Council finds that a generic drug product may have issues related to the practice of medicine or the practice of pharmacy, the Technical Advisory Council shall review the generic drug product at its next regularly scheduled Technical Advisory Council meeting. Following the Technical Advisory Council's review and initial recommendation that a generic drug product not be included in the Illinois Formulary, a hearing shall be conducted in accordance with the Department's Rules of Practice and~~

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Procedure in Administrative Hearings (77 Ill. Admin. Code 100) and Article 10 of the Illinois Administrative Procedure Act if requested by the manufacturer. The Technical Advisory Council shall make its recommendation to the Department of Public Health within 20 business days after the public hearing. If the Department of Public Health, on the recommendation of the Technical Advisory Council, determines that, based upon a preponderance of the evidence, the drug is not bioequivalent, not therapeutically equivalent, or could cause clinically significant harm to the health or safety of patients receiving that generic drug, the Department of Public Health may prohibit the generic drug from substitution in the State. A decision by the Department to prohibit a drug product from substitution shall constitute a final administrative decision within the meaning of Section 22.2 of the Illinois Food, Drug and Cosmetic Act and Section 3-101 of the Code of Civil Procedure, and shall be subject to judicial review pursuant to the provisions of Article III of the Administrative Review Law. A decision to prohibit a generic drug from substitution must be accompanied by a written detailed explanation of the basis for the decision. Determination of products which may be selected shall be recommended by a Technical Advisory Council of the Department, selected by the Director of Public Health, which council shall consist of 7 persons including 2 physicians, 2 pharmacists, 2 pharmacologists and one other prescriber who have special knowledge of generic drugs and formulary. Technical Advisory Council members shall serve without pay, and shall be appointed for a 3-year term and until their successors are appointed and qualified. The procedures for operation of the Drug Product Selection Program shall be promulgated by the Director, however the actual list of products prohibited or approved for drug product selection need not be promulgated. The Technical Advisory Council shall take cognizance of federal studies, the U.S. Pharmacopoeia—National Formulary, or other recognized authoritative sources, and shall advise the Director of any necessary modifications. Drug products previously approved by the Technical Advisory Council for generic interchange may be substituted in the State of Illinois without further review subject to the conditions of approval in the State of Illinois prior to the effective date of this amendatory Act of the 91st General Assembly.

Timely notice of revisions to the formulary shall be furnished at no charge to all pharmacies by the Department. Single copies of the drug formulary shall be made available at no charge upon request to licensed prescribers, student pharmacists, and pharmacists practicing pharmacy in this State under a reciprocal license. The Department shall offer subscriptions to the drug formulary and its revisions to other interested parties at a reasonable charge to be established by rule. Before the Department makes effective any additions to or deletions from the procedures for operation of the Drug Product Selection Program under this Section, the Department shall file proposed rules to amend the procedures for operation of the program under Section 5-40 of the Illinois Administrative Procedure Act. The Department shall issue necessary rules and regulations for the implementation of this Section.

(Source: P.A. 91-766, eff. 9-1-00; 92-112, eff. 7-20-01.)

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

Under the rules, the foregoing **Senate Bill No. 2208**, with House Amendments numbered 1 and 2, was referred to the Secretary's Desk.

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 3340

A bill for AN ACT making appropriations.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 3340

Passed the House, as amended, July 24, 2004, by a three-fifths vote.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 3340 by deleting everything after the enacting clause and inserting in lieu thereof the following:

"ARTICLE 1

[July 24, 2004]

(Public Act 93-681 rep.)

Section 5. Public Act 93-681 made appropriations for State fiscal year 2005 for core services and contained a provision repealing the Act on August 1, 2004. Public Act 93-681 is repealed on the earlier of August 1, 2004 or the effective date of this Act.

Section 10. This Act makes appropriations for State fiscal year 2005 and includes those items of appropriation in Public Act 93-681 that correspond to the items of appropriation in this Act, with changes as applicable. Expenditures and obligations made under the authority of Public Act 93-681 are deemed to have been expended and obligated under the authority of the corresponding item of appropriation in this Act. This Act supersedes Public Act 93-681. The amounts of expenditure made under the authority of Public Act 93-681 are to be subtracted from the corresponding item of appropriation in this Act in determining the amounts available for expenditure under this Act. In the event that expenditures approved by the Comptroller pursuant to Public Act 93-680 prior to the effective date of this Act exceed the new appropriation, the appropriation is increased to the amount of those approved expenditures.

ARTICLE 2

Section 5. The following amounts, or so much of those amounts as may be necessary, respectively, for the objects and purposes named, are appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2004:

ANALYSIS AND REPORTING DIVISION

From the General Revenue Fund:	
For Personal Services	653,800
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	40,400
For Social Security Contributions	<u>49,900</u>
Total	\$744,100
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	349,400
For Employee Retirement Contributions	
Paid by Employer	11,700
For Retirement Contributions	43,500
For Social Security Contributions	26,600
For Group Insurance	<u>60,000</u>
Total	\$491,200

BUDGET DIVISION

From the General Revenue Fund:	
For Personal Services	339,700
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	8,000
For Social Security Contributions	<u>26,000</u>
Total	\$373,700
From the State Board of Education Federal Department of Agriculture Fund:	
For Personal Services	37,700
For Employee Retirement Contributions	
Paid by Employer	700
For Retirement Contributions	4,200
For Social Security Contributions	2,900
For Group Insurance	<u>6,000</u>
Total	\$51,500
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	194,000
For Employee Retirement Contributions	
Paid by Employer	7,500
For Retirement Contributions	25,300
For Social Security Contributions	14,800
For Group Insurance	<u>33,000</u>
Total	\$274,600

DATA SYSTEMS DIVISION

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From the General Revenue Fund:	
For Personal Services	1,636,600
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	34,700
For Social Security Contributions	<u>125,100</u>
Total	\$1,796,400
From the Teacher Certificate Fee Revolving Fund:	
For Personal Services	75,000
For Employee Retirement Contributions	
Paid by Employer	3,000
For Retirement Contributions	8,300
For Social Security Contributions	5,700
For Group Insurance	<u>12,000</u>
Total	\$104,000
From the State Board of Education Federal Department of Agriculture Fund:	
For Personal Services	260,600
For Employee Retirement Contributions	
Paid by Employer	10,400
For Retirement Contributions	28,900
For Social Security Contributions	19,900
For Group Insurance	<u>48,000</u>
Total	\$367,800
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	212,900
For Employee Retirement Contributions	
Paid by Employer	8,400
For Retirement Contributions	23,600
For Social Security Contributions	16,300
For Group Insurance	<u>36,000</u>
Total	\$297,200
EXTERNAL ASSURANCE DIVISION	
From the General Revenue Fund:	
For Personal Services	399,900
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	33,000
For Social Security Contributions	<u>30,600</u>
Total	\$463,500
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	2,011,400
For Employee Retirement Contributions	
Paid by Employer	70,700
For Retirement Contributions	245,300
For Social Security Contributions	153,900
For Group Insurance	<u>348,000</u>
Total	\$2,829,300
FINANCE AND ADMINISTRATION DIVISION	
From the General Revenue Fund:	
For Personal Services	130,700
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	800
For Social Security Contributions	<u>9,800</u>
Total	\$141,300
FISCAL AND ADMINISTRATIVE SERVICES DIVISION	
From the General Revenue Fund:	
For Personal Services	1,740,400
For Employee Retirement Contributions	

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Paid by Employer	3,200
For Retirement Contributions	128,700
For Social Security Contributions	<u>132,400</u>
Total	\$2,001,500
From the State Board of Education Federal Department of Agriculture Fund:	
For Personal Services	162,700
For Employee Retirement Contributions	
Paid by Employer	3,200
For Retirement Contributions	22,000
For Social Security Contributions	12,400
For Group Insurance	<u>48,000</u>
Total	\$248,300
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	111,500
For Employee Retirement Contributions	
Paid by Employer	4,700
For Retirement Contributions	18,900
For Social Security Contributions	8,500
For Group Insurance	<u>36,000</u>
Total	\$179,600
FUNDING AND DISBURSEMENT DIVISION	
From the General Revenue Fund:	
For Personal Services	797,800
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	36,800
For Social Security Contributions	<u>61,000</u>
Total	\$895,600
From the Drivers Education Fund:	
For Personal Services	57,300
For Employee Retirement Contributions	
Paid by Employer	1,700
For Retirement Contributions	2,300
For Social Security Contributions	4,400
For Group Insurance	<u>15,000</u>
Total	\$80,700
From the State Board of Education Federal Department of Agriculture Fund:	
For Personal Services	222,600
For Employee Retirement Contributions	
Paid by Employer	7,300
For Retirement Contributions	30,800
For Social Security Contributions	17,000
For Group Insurance	<u>60,000</u>
Total	\$337,700
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	756,200
For Employee Retirement Contributions	
Paid by Employer	23,900
For Retirement Contributions	102,900
For Social Security Contributions	57,900
For Group Insurance	<u>186,000</u>
Total	\$1,126,900
GENERAL COUNSEL DIVISION	
From the General Revenue Fund:	
For Personal Services	890,400
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	90,200
For Social Security Contributions	<u>65,600</u>

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Total	\$1,046,200
From the State Board of Education Federal Department of Agriculture Fund:	
For Personal Services	60,000
For Employee Retirement Contributions	
Paid by Employer	2,400
For Retirement Contributions	6,600
For Social Security Contributions	4,600
For Group Insurance	<u>12,000</u>
Total	\$85,600
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	244,200
For Employee Retirement Contributions	
Paid by Employer	8,500
For Retirement Contributions	27,100
For Social Security Contributions	17,400
For Group Insurance	<u>36,000</u>
Total	\$333,200
GOVERNMENTAL RELATIONS DIVISION	
From the General Revenue Fund:	
For Personal Services	219,800
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	8,100
For Social Security Contributions	<u>15,900</u>
Total	\$243,800
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	113,600
For Employee Retirement Contributions	
Paid by Employer	2,600
For Retirement Contributions	12,600
For Social Security Contributions	7,100
For Group Insurance	<u>12,000</u>
Total	\$147,900
HUMAN RESOURCES DIVISION	
From the General Revenue Fund:	
For Personal Services	764,100
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	59,200
For Social Security Contributions	<u>57,600</u>
Total	\$880,900
INFORMATION TECHNOLOGY DIVISION	
From the General Revenue Fund:	
For Personal Services	146,700
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	900
For Social Security Contributions	<u>10,200</u>
Total	\$157,800
INTERNAL AUDIT DIVISION	
From the General Revenue Fund:	
For Personal Services	325,400
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	19,800
For Social Security Contributions	<u>24,900</u>
Total	\$370,100
OPERATIONS ADMINISTRATION DIVISION	
From the General Revenue Fund:	

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For Personal Services	166,300
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	8,200
For Social Security Contributions	10,700
For Contractual Services	16,981,800
For Travel	313,700
For Commodities	69,000
For Printing	105,200
For Equipment	78,900
For Telecommunications	576,800
For Operation of Automotive Equipment	<u>11,800</u>
Total	\$18,322,400
From the State Board of Education Federal Agency Services Fund:	
For Contractual Services	847,000
For Travel	122,000
For Commodities	22,500
For Printing	13,000
For Equipment	11,000
For Telecommunications	<u>18,000</u>
Total	\$1,033,500
From the State Board of Education Federal Department of Agriculture Fund:	
For Contractual Services	2,900,000
For Travel	370,000
For Commodities	75,000
For Printing	150,000
For Equipment	75,000
For Telecommunications	<u>75,000</u>
Total	\$3,645,000
From the State Board of Education Federal Department of Education Fund:	
For Contractual Services	43,012,400
For Travel	1,387,500
For Commodities	440,600
For Printing	609,000
For Equipment	383,500
For Telecommunications	<u>612,500</u>
Total	\$46,445,500
PUBLIC INFORMATION DIVISION	
From the General Revenue Fund:	
For Personal Services	708,900
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	59,000
For Social Security Contributions	<u>54,200</u>
Total	\$822,100
From the State Board of Education Federal Department of Agriculture Fund:	
For Personal Services	15,900
For Employee Retirement Contributions	
Paid by Employer	600
For Retirement Contributions	1,800
For Social Security Contributions	1,200
For Group Insurance	<u>3,000</u>
Total	\$22,500
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	47,700
For Employee Retirement Contributions	
Paid by Employer	2,000
For Retirement Contributions	5,300
For Social Security Contributions	3,600

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For Group Insurance	<u>9,000</u>
Total	\$67,600
SPECIAL EDUCATION ADMINISTRATION DIVISION	
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	158,700
For Employee Retirement Contributions	
Paid by Employer	5,900
For Retirement Contributions	19,700
For Social Security Contributions	11,000
For Group Insurance	<u>24,000</u>
Total	\$219,300
STATE SUPERINTENDENT DIVISION	
From the General Revenue Fund:	
For Personal Services	317,500
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	14,800
For Social Security Contributions	<u>15,800</u>
Total	\$348,100
ACCOUNTABILITY DIVISION	
From the General Revenue Fund:	
For Personal Services	823,900
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	56,800
For Social Security Contributions	<u>62,700</u>
Total	\$943,400
From the State Board of Education Federal Department of Agriculture Fund:	
For Personal Services	42,100
For Employee Retirement Contributions	
Paid by Employer	1,700
For Retirement Contributions	4,700
For Social Security Contributions	3,200
For Group Insurance	<u>12,000</u>
Total	\$63,700
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	186,100
For Employee Retirement Contributions	
Paid by Employer	6,900
For Retirement Contributions	21,800
For Social Security Contributions	14,200
For Group Insurance	<u>30,000</u>
Total	\$259,000
BUSINESS AND SUPPORT SERVICES DIVISION	
From the General Revenue Fund:	
For Personal Services	926,700
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	65,800
For Social Security Contributions	<u>70,900</u>
Total	\$1,063,400
From the School Infrastructure Fund:	
For Personal Services	69,900
For Employee Retirement Contributions	
Paid by Employer	3,000
For Retirement Contributions	2,800
For Social Security Contributions	5,300
For Group Insurance	<u>12,000</u>
Total	\$93,000

CAREER DEVELOPMENT DIVISION

From the General Revenue Fund:	
For Personal Services	235,900
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	1,400
For Social Security Contributions	<u>18,000</u>
Total	\$255,300
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	485,900
For Employee Retirement Contributions	
Paid by Employer	16,800
For Retirement Contributions	63,900
For Social Security Contributions	37,200
For Group Insurance	<u>96,000</u>
Total	\$699,800

CURRICULUM AND INSTRUCTION DIVISION

From the General Revenue Fund:	
For Personal Services	185,700
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	8,100
For Social Security Contributions	<u>14,200</u>
Total	\$208,000
From the State Board of Education Federal Agency Services Fund:	
For Personal Services	37,200
For Employee Retirement Contributions	
Paid by Employer	3,000
For Retirement Contributions	4,100
For Social Security Contributions	2,800
For Group Insurance	<u>6,000</u>
Total	\$53,100
From the State Board of Education Federal Agency Services Fund:	
For Personal Services	69,900
For Employee Retirement Contributions	
Paid by Employer	2,900
For Retirement Contributions	7,700
For Social Security Contributions	5,300
For Group Insurance	<u>12,000</u>
Total	\$97,800
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	862,700
For Employee Retirement Contributions	
Paid by Employer	27,600
For Retirement Contributions	100,100
For Social Security Contributions	66,000
For Group Insurance	<u>159,000</u>
Total	\$1,215,400

EARLY CHILDHOOD DIVISION

From the General Revenue Fund:	
For Personal Services	133,700
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	13,000
For Social Security Contributions	<u>10,200</u>
Total	\$156,900
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	601,900
For Employee Retirement Contributions	

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Paid by Employer	24,000
For Retirement Contributions	78,300
For Social Security Contributions	46,000
For Group Insurance	<u>108,000</u>
Total	\$858,200
E-LEARNING DIVISION	
From the General Revenue Fund:	
For Personal Services	190,300
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	1,100
For Social Security Contributions	<u>14,600</u>
Total	\$206,000
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	77,100
For Employee Retirement Contributions	
Paid by Employer	3,000
For Retirement Contributions	8,500
For Social Security Contributions	5,900
For Group Insurance	<u>12,000</u>
Total	\$106,500
ENGLISH LANGUAGE DIVISION	
From the State Board of Education Federal Agency Services Fund:	
For Personal Services	72,800
For Employee Retirement Contributions	
Paid by Employer	3,000
For Retirement Contributions	8,000
For Social Security Contributions	5,600
For Group Insurance	<u>15,000</u>
Total	\$104,400
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	785,400
For Employee Retirement Contributions	
Paid by Employer	30,200
For Retirement Contributions	119,100
For Social Security Contributions	59,700
For Group Insurance	<u>129,000</u>
Total	\$1,123,400
NUTRITION PROGRAMS DIVISION	
From the General Revenue Fund:	
For Personal Services	21,700
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	100
For Social Security Contributions	<u>1,700</u>
Total	\$23,500
From the State Board of Education Federal Department of Agriculture Fund:	
For Personal Services	2,820,400
For Employee Retirement Contributions	
Paid by Employer	117,000
For Retirement Contributions	344,200
For Social Security Contributions	139,300
For Group Insurance	<u>416,000</u>
Total	\$3,836,900
PLANNING AND PERFORMANCE DIVISION	
From the General Revenue Fund:	
For Personal Services	103,400
For Employee Retirement Contributions	
Paid by Employer	0

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For Retirement Contributions	7,600
For Social Security Contributions	<u>7,000</u>
Total	\$118,000
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	58,200
For Employee Retirement Contributions	
Paid by Employer	3,500
For Retirement Contributions	6,400
For Social Security Contributions	3,600
For Group Insurance	<u>6,000</u>
Total	\$77,700
SCHOOL FINANCE DIVISION	
From the General Revenue Fund:	
For Personal Services	132,500
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	6,400
For Social Security Contributions	<u>10,000</u>
Total	\$148,900
SPECIAL EDUCATION – CHICAGO DIVISION	
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	1,600,600
For Employee Retirement Contributions	
Paid by Employer	68,100
For Retirement Contributions	180,300
For Social Security Contributions	122,700
For Group Insurance	<u>296,500</u>
Total	\$2,267,800
SPECIAL EDUCATION – SPRINGFIELD DIVISION	
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	1,960,900
For Employee Retirement Contributions	
Paid by Employer	76,100
For Retirement Contributions	234,900
For Social Security Contributions	150,000
For Group Insurance	<u>372,000</u>
Total	\$2,793,900
STUDENT ASSESSMENT DIVISION	
From the General Revenue Fund:	
For Personal Services	607,400
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	15,800
For Social Security Contributions	<u>46,500</u>
Total	\$669,700
From the State Board of Education Federal Agency Services Fund:	
For Personal Services	65,600
For Employee Retirement Contributions	
Paid by Employer	2,800
For Retirement Contributions	7,200
For Social Security Contributions	5,000
For Group Insurance	<u>12,000</u>
Total	\$92,600
SYSTEM OF SUPPORT DIVISION	
From the General Revenue Fund:	
For Personal Services	87,300
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	500

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For Social Security Contributions	<u>6,700</u>
Total	\$94,500
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	1,437,800
For Employee Retirement Contributions	
Paid by Employer	55,200
For Retirement Contributions	159,300
For Social Security Contributions	110,000
For Group Insurance	<u>264,000</u>
Total	\$2,026,300
TEACHER CERTIFICATION AND PROFESSIONAL DEVELOPMENT DIVISION	
From the General Revenue Fund:	
For Personal Services	1,462,100
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	70,600
For Social Security Contributions	<u>110,500</u>
Total	\$1,643,200
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	182,700
For Employee Retirement Contributions	
Paid by Employer	8,300
For Retirement Contributions	20,200
For Social Security Contributions	14,000
For Group Insurance	<u>36,000</u>
Total	\$261,200
TECHNOLOGY SUPPORT DIVISION	
From the General Revenue Fund:	
For Personal Services	1,024,400
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	56,100
For Social Security Contributions	<u>77,700</u>
Total	\$1,158,200
From the State Board of Education Federal Department of Agriculture Fund:	
For Personal Services	48,700
For Employee Retirement Contributions	
Paid by Employer	1,900
For Retirement Contributions	5,400
For Social Security Contributions	3,700
For Group Insurance	<u>12,000</u>
Total	\$71,700
From the State Board of Education Federal Department of Education Fund:	
For Personal Services	81,700
For Employee Retirement Contributions	
Paid by Employer	2,800
For Retirement Contributions	9,100
For Social Security Contributions	6,200
For Group Insurance	<u>21,000</u>
Total	\$120,800
Section 7. The following amounts or so much thereof as may be necessary, which shall be used by the Illinois State Board of Education exclusively for the foregoing purposes and not, under any circumstances, for personal services expenditures or other operational or administrative costs, are appropriated to the Illinois State Board of Education for the fiscal year beginning July 1, 2004:	
From the General Revenue Fund:	
For Bilingual Education (over 500,000 population), 34-18.2 of the School Code	35,896,600
For Bilingual Education (under 500,000 population), 10-22.38a of the	

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School Code	28,655,400
For Blind/Dyslexic Persons	168,800
For Career and Technical Education	36,062,100
For Charter Schools	3,421,500
For Disabled Student Services/Materials	360,000,000
For Disabled Student Transportation Reimbursement	317,100,000
For Disabled Student Tuition, Private Tuition	66,811,500
For District Consolidation Costs/ Supplemental Payments to School Districts, 18-8.2, 18-18.3, 18-8.5, 18-8.05(l) of the School Code	1,678,800
For the Early Childhood Block Grant	243,254,500
For Extraordinary Special Education, 14-7.02 of the School Code	243,048,000
For Fast Growth Grants	10,000,000
For General State Aid – Hold Harmless	30,129,800
For the Illinois Governmental Internship Program	129,900
For the Metro East Consortium for Child Advocacy	217,100
For Parental Guardian Programs/ Transportation Reimbursement	14,454,700
For the Philip J. Rock Center and School	2,855,500
For the Reading Improvement Block Grant	76,139,800
For Reimbursement for the Free Breakfast/ Lunch Program	20,500,000
For the School Breakfast Incentive Program	723,500
For the School Safety and Educational Improvement Block Grant	54,841,000
For Standards, Assessments and Accountability	3,552,700
For the Summer Bridges Program	22,238,100
For Summer School Payments, 18-4.3 of the School Code	6,762,000
For Tax-Equivalent Grants, 18-4.4 of the School Code	222,600
For Teacher Education	4,740,000
For Technology for Success	4,134,700
For Textbook Loans, 18-17 of the School Code	29,126,500
For Transitional Assistance	7,700,000
For Transition of Minority Students	578,800
For Transportation-Regular/Vocational, Common School Transportation Reimbursement, 29-5 of the School Code	261,630,000
For Visually Impaired/Educational Materials Coordinating Unit, 14-11.01 of the School Code	1,121,000
For Regular Education Reimbursement Per 18-3 of the School Code	17,400,000
For Special Education Reimbursement Per 14-7.03 of the School Code	106,100,000
For all costs associated with Alternative Education/Regional Safe Schools	17,035,500

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For South Cook Intermediate Service Center	300,000
For Truant Alternative and Optional Education Program	15,578,100
For costs associated with Teach for America	450,000
For grants to Local Education Agencies to conduct Agriculture Education Programs	1,881,200
For deposit into the Temporary Relocation Expenses Revolving Grant Fund for use by the State Board of Education as provided in Section 2-3.77 of the School Code	0
Total	\$2,046,639,700
From the Education Assistance Fund:	
For General State Aid	731,900,000
From the Common School Fund:	
For General State Aid	2,950,301,200
From the Common School Fund:	
For Regional Superintendents' and Assistants' Compensation	8,150,000
From the General Revenue Fund	
For Regional Superintendent's Services	5,470,000
For all costs associated with the Teachers' Academy of Math and Science	500,000
From the School District Emergency Financial Assistance Fund:	
For Emergency Financial Assistance, 1B-8 of the School Code	5,333,000
From the Drivers Education Fund:	
For Drivers Education	15,750,000
From the School Technology Revolving Fund:	
For the Statewide Educational Network	125,000
From the Charter Schools Revolving Loan Fund:	
For Charter Schools Loans	20,000
From the ISBE GED Testing Fund:	
For all costs associated with administering GED tests	800,000
From the School Technology Revolving Loan Fund:	
For School Technology Loans, 2-3.117a of the School Code	7,000,000
From the Temporary Relocation Expenses Revolving Grant Fund:	
For Temporary Relocation Expenses, 2-3.77 of the School Code	600,000
From the State Board of Education Federal Agency Services Fund:	
For Learn and Serve America	2,500,000
From the State Board of Education Federal Agency Services Fund:	
For Refugee Services	2,500,000
From the State Board of Education Federal Agency Services Fund:	
For the School-to-Work Program	3,000,000
From the State Board of Education Federal Department of Agriculture Fund:	
For Child Nutrition	450,000,000
From the State Board of Education Federal Department of Education Fund:	
For Title I	650,200,000
For Title I, Reading First	50,000,000
For Title II, Teacher/Principal Training	150,000,000
For Title III, English Language Acquisition	40,000,000
For Title IV, 21st Century/Community Service Programs	45,000,000
For Title IV, Safe and Drug Free Schools	25,000,000

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For Title V, Innovation Programs	21,000,000
For Title VI, Renovation/Special Education/Technology	10,000,000
For Title VI, Rural and Low Income Students	1,500,000
For Title X, McKinney Homeless Assistance	3,000,000
For Enhancing Education through Technology	35,000,000
For Individuals with Disabilities Act, Deaf/Blind	380,000
For Individuals with Disabilities Act, IDEA	550,000,000
For Individuals with Disabilities Act, Improvement Program	2,500,000
For Individuals with Disabilities Act, Model Outreach Program Grants	400,000
For Individuals with Disabilities Act, Pre-School	25,000,000
For Grants for Vocational Education – Basic	50,000,000
For Grants for Vocational Education – Technical Preparation	5,000,000
For Charter Schools	2,500,000
For Transition to Teaching	500,000
For Advanced Placement Fee	2,000,000
For Math/Science Partnerships	8,000,000
For Special Federal Congressional Projects	<u>10,000,000</u>
Total	\$1,687,680,000

Section 10. The amount of \$29,126,500, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made for such purpose in Article 1, Section 25, Public Act 93-115, is reappropriated from the General Revenue Fund to the Illinois State Board of Education for Textbook Loans pursuant to Section 18-17 of the School Code.

Section 15. The amount of \$472,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Board of Education for all costs associated with the Community Residential Services Authority.

Section 17. The sum of \$100,000, or so much thereof as may be necessary, is appropriated to the Illinois State Board of Education for grants associated with the Illinois Economic Education program.

Section 20. The amount of \$1,399,000, or so much thereof as may be necessary, is appropriated from the Teacher Certificate Fee Revolving Fund to the Illinois State Board of education for Teacher Certificates Processing.

Section 23. The amount of \$500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Teachers' Academy of Math and Sciences for cost associated with the Science Resource Center.

Section 25. The amount of \$125,000, or so much thereof as may be necessary, is appropriated from the Teacher Certificate Institute Fund to the Illinois State Board of Education for Teacher Certificates – Chicago, 3-12, 2-3.105 of the School Code.

Section 30. The amount of \$12,000, or so much thereof as may be necessary, is appropriated from the School Bus Driver Permit Fund to the Illinois State Board of Education for the School Bus Driver Permit Program, 3-14.23 of the School Code.

Section 35. The amount of \$65,044,700, or so much thereof as may be necessary is appropriated from the General Revenue Fund to the Public School Teachers' Pension and Retirement Fund of Chicago for the state's contribution for the fiscal year beginning July 1, 2004.

Section 40. The amount of \$69,314,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Teachers' Retirement System of the State of Illinois for transfer into the Teachers' Health Insurance Security Fund as the state's contribution for teachers' health insurance.

ARTICLE 3

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Section 5. The following amounts, or so much thereof as may be necessary, respectively, are appropriated to the Teachers' Retirement System of the State of Illinois for the State's contributions, as provided by law:

Payable from the Common School Fund	422,763,000
Payable from the Education Assistance Fund	300,000,000
Payable from the General Revenue Fund	<u>181,165,000</u>
Total	\$903,928,000

Section 10. The following named amount, or so much thereof as may be necessary, respectively, is appropriated from the General Revenue Fund to the Teachers' Retirement System for the objects and purposes hereinafter named:

For additional costs due to the establishment of minimum retirement allowances pursuant to Sections 16-136.2 and 16-136.3 of the "Illinois Pension Code", as amended	<u>3,100,000</u>
Total	\$3,100,000

ARTICLE 3A

Section 5. The following named amounts, or so much thereof as may be necessary, are appropriated from the General Revenue Fund to the Illinois Educational Labor Relations Board for the objects and purposes hereinafter named:

OPERATIONS

For Personal Services	960,000
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	154,600
For State Contributions to Social Security	73,400
For Contractual Services	163,200
For Travel	24,000
For Commodities	4,800
For Printing	2,900
For Equipment	24,000
For Electronic Data Processing	22,100
For Telecommunications Services	25,900
For Operation of Automotive Equipment	<u>3,800</u>
Total	\$1,458,700

ARTICLE 4

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to the Illinois Community College Board for ordinary and contingent expenses:

For Personal Services	1,279,500
For State Contributions to Social Security, for Medicare	13,500
For Contractual Services	375,900
For Travel	58,100
For Commodities	8,600
For Printing	11,000
For Equipment	2,000
For Electronic Data Processing	431,000
For Telecommunications	36,500
For Operation of Automotive Equipment	4,000
East St. Louis Operations	1,500
Illinois Valley Community College Operations	<u>160,000</u>
Total	\$2,381,600

Section 10. The sum of \$15,000,000, or so much thereof as may be necessary, is

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appropriated from the Illinois Community College Board Contracts and Grants Fund to the Illinois Community College Board to be expended under the terms and conditions associated with the moneys being received.

Section 15. The sum of \$1,500,000, or so much thereof as may be necessary, is appropriated from the ICCB Adult Education Fund to the Illinois Community College Board for operational expenses associated with administration of adult education and literacy activities.

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the General Revenue Fund to the Illinois Community College Board for distribution to qualifying public community colleges for the purposes specified:

Base Operating Grants	191,837,100
Small College Grants	900,000
Equalization Grants	76,617,500
Retirees Health Insurance Grants	626,600
Workforce Development Grants	3,311,300
P-16 Initiative Grants	<u>1,279,000</u>
Total	\$274,571,500

Section 25. The sum of \$1,589,100, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for grants to operate an educational facility in the former community college district #541 in East St. Louis.

Section 30. The sum of \$775,000, or so much thereof as may be necessary, is appropriated from the AFDC Opportunities Fund to the Illinois Community College Board for grants to colleges for workforce training and technology and operating costs of the Board for those purposes.

Section 35. The following named amounts, or so much of those amounts as may be necessary, for the objects and purposes named, are appropriated to the Illinois Community College Board for adult education and literacy activities:

From the General Revenue Fund:

For payment of costs associated with education and educational-related services to local eligible providers for adult education and literacy	15,829,600
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For payment of costs associated with education and educational-related services to local eligible providers for performance-based awards	10,491,800
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For operational expenses of and for payment of costs associated with education and educational-related services to recipients of Public Assistance, and, if any funds remain, for costs associated with education and educational-related services to local eligible providers for adult education and literacy	7,922,100
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For payment of costs associated with education and educational-related services to adult education providers for certain grants	102,000
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From the ICCB Adult Education Fund:

For payment of costs associated with education and educational-related services to local eligible providers and to Support Leadership Activities, as Defined by U.S.D.O.E. for adult education and literacy as provided by the United States Department of Education	<u>29,867,200</u>
Total, this Section	\$64,212,700

Section 40. The following named amounts, or so much thereof as may be necessary, are appropriated to the Illinois Community College Board for all costs associated with career and technical education activities:

From the General Revenue Fund	11,911,700
From the Career and Technical Education Fund	<u>22,207,100</u>
Total, this Section	\$34,118,800

Section 45. The sum of \$300,000, or so much thereof as may be necessary, is appropriated from the ICCB Federal Trust Fund to the Illinois Community College Board for ordinary and contingency expenses of the Board.

Section 50. The sum of \$5,507,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for grants to community college districts that are negatively impacted by the changes in the Base Operating formula in Section 2-16.02 of the Public Community College Act.

Section 55. The sum of \$15,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for the City Colleges of Chicago for educational-related expenses.

Section 60. The sum of \$120,100, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for awarding scholarships to qualifying graduates of the Lincoln's Challenge Program.

Section 65. The sum of \$250,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Community College Board for the Lincoln Land Community College medical training program at the Hillsboro campus.

ARTICLE 5

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Eastern Illinois University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2005:

Payable from the General Revenue Fund:

For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2003-2005	44,609,500
For Contractual Services	1,700,000
For Commodities	500,000
For Equipment	500,000
For Telecommunications Services	<u>300,000</u>
Total	\$47,609,500

Section 10. The sum of \$2,000, or so much thereof as may be necessary, is appropriated from the State College and University Trust Fund to the Board of Trustees of Eastern Illinois University for scholarship grant awards, in accordance with Public Act 91-0083.

ARTICLE 6

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Governors State University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2005:

Payable from the General Revenue Fund:

For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2003-2005	20,205,100
For State Contributions to Social Security, for Medicare	100,000
For Contractual Services	3,000,000
For Travel	50,000
For Commodities	150,000

For Equipment	400,000
For Telecommunications Services	145,000
For Operation of Automotive Equipment	25,000
For Awards and Grants	105,000
For Permanent Improvements	<u>100,000</u>
Total	\$24,280,100

ARTICLE 7

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to the Board of Higher Education to meet ordinary and contingent expenses for the fiscal year ending June 30, 2005:

For Personal Services	2,201,000
For State Contributions to Social Security, for Medicare	29,500
For Contractual Services	478,900
For Travel	55,000
For Commodities	12,000
For Printing	11,000
For Equipment	17,000
For Telecommunications	43,000
For Operation of Automotive Equipment	<u>3,200</u>
Total	\$2,850,600

Section 10. The following named amounts, or so much thereof as may be necessary, are appropriated from the General Revenue Fund to the Board of Higher Education for distribution as grants authorized by the Higher Education Cooperation Act:

Quad-Cities Graduate Study Center	220,000
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Section 15. The following named amount, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for distribution as grants authorized by the Higher Education Cooperation Act:

Access and Diversity	5,487,300
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Section 20. The sum of \$1,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for a grant to the Board of Trustees of the University Center of Lake County for the ordinary and contingent expenses of the Center.

Section 25. The sum of \$9,500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for distribution as incentive grants to Illinois higher education institutions in the competition for external grants and contracts.

Section 30. The sum of \$17,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for distribution as grants authorized by the Health Services Education Grants Act.

Section 35. The sum of \$2,750,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Public Health for distribution of medical education scholarships authorized by an Act to provide grants for family practice residency programs and medical student scholarships through the Illinois Department of Public Health.

Section 40. The sum of \$5,500,000, or so much thereof as may be necessary, is appropriated from the BHE Federal Grants Fund to the Board of Higher Education to be expended under the terms and conditions associated with the federal contracts and grants moneys received.

Section 45. The sum of \$2,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for distribution as grants authorized by the Illinois Consortium for Educational Opportunity Act.

Section 50. The sum of \$2,100,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for distribution as grants for Cooperative Work Study Programs to institutions of higher education.

Section 55. The sum of \$232,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Higher Education for a grant to Chicago State University to conduct a pilot project to improve retention and graduation rates.

Section 60. The sum of \$279,000, or so much thereof as may be necessary, is appropriated

from the General Revenue Fund to the Board of Higher Education for a grant to Northeastern Illinois University to conduct a pilot project to improve retention and graduation rates.

Section 65. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to the Illinois Mathematics and Science Academy to meet ordinary and contingent expenses for the fiscal year ending June 30, 2005:

For Personal Services	10,284,200
For State Contributions to Social Security, for Medicare	179,800
For Contractual Services	3,607,000
For Travel	126,400
For Commodities	381,100
For Equipment	462,900
For Telecommunications	289,000
For Operation of Automotive Equipment	30,600
For Electronic Data Processing	<u>121,900</u>
Total	\$15,482,900

Section 70. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Illinois Mathematics and Science Academy Income Fund to the Illinois Mathematics and Science Academy to meet ordinary and contingent expenses for the fiscal year ending June 30, 2005:

For Personal Services	1,165,500
For State Contributions to Social Security, for Medicare	21,200
For Contractual Services	514,500
For Travel	51,500
For Commodities	203,500
For Equipment	5,000
For Telecommunications	80,000
For Operation of Automotive Equipment	1,000
For Refunds	<u>7,800</u>
Total	\$2,050,000

Section 75. The sum of \$350,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Mathematics and Science Academy for the Excellence 2000 Program in Mathematics and Science.

ARTICLE 8

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Illinois State University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2005:

Payable from the General Revenue Fund:

For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2003-2005	71,652,000
For Group Insurance	3,078,300
For Contractual Services	1,921,700
For Commodities	300,000
For Equipment	2,000,000
For Telecommunications Services	500,000
For Permanent Improvements	<u>1,000,000</u>
Total	\$80,452,000

ARTICLE 9

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Northern Illinois University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2005:

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Payable from the General Revenue Fund:

For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2003-2005	87,068,700
For State Contributions to Social Security, for Medicare	408,900
For Group Insurance	2,337,300
For Contractual Services	6,536,800
For Travel	163,500
For Commodities	1,976,400
For Equipment	1,316,500
For Telecommunications Services	798,900
For Operation of Automotive Equipment	138,500
For Awards and Grants	185,700
For Permanent Improvements	<u>1,343,700</u>
Total	\$102,274,900

Section 10. The sum of \$10,100, or so much thereof as may be necessary, is appropriated from the State College and University Trust Fund to the Board of Trustees of Northern Illinois University for scholarship grant awards, in accordance with Public Act 91-0083.

ARTICLE 10

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Northeastern Illinois University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2005:

Payable from the General Revenue Fund:

For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2003-2005	33,655,100
For State Contributions to Social Security, for Medicare	400,000
For Group Insurance	1,072,600
For Contractual Services	2,650,000
For Equipment	<u>1,200,000</u>
Total	\$38,977,700

Section 10. The sum of \$250,000, or so much thereof as may necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Northeastern Illinois University to meet the ordinary and contingent expenses of the University required to match the Federal Title II Teacher Quality Enhancement State Grant, including payment or reimbursement to the University for personal services and related costs incurred during the fiscal year authorized by law, for the fiscal year ending June 30, 2005.

ARTICLE 11

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Southern Illinois University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2005:

Payable from the General Revenue Fund:

For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2003-2005	190,518,500
For State Contributions to Social	

Security, for Medicare	2,444,400
For Group Insurance	3,698,300
For Contractual Services	11,770,500
For Travel	57,200
For Commodities	907,500
For Equipment	5,079,900
For Telecommunications Services	1,445,100
For Operation of Automotive Equipment	226,800
For Awards and Grants	<u>555,500</u>
Total	\$216,703,700

Section 10. The sum of \$250,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Southern Illinois University for all costs required to match the Federal Title II Teacher Quality Enhancement State Grant for Southern Illinois University at Carbondale, including payment to the University for personal services and related costs incurred.

Section 15. The sum of \$250,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Southern Illinois University for all costs required to match the Federal Title II Teacher Quality Enhancement State Grant for Southern Illinois University at Edwardsville, including payment to the University for personal services and related costs incurred.

Section 20. The sum of \$225,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Southern Illinois University for the Southern Illinois University Public Policy Institute.

ARTICLE 12

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of the University of Illinois to meet ordinary and contingent expenses for the fiscal year ending June 30, 2005:

Payable from the General Revenue Fund:

For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2003-2005	611,035,700
For State Contributions to Social Security, for Medicare	8,937,100
For Group Insurance	24,893,200
For Contractual Services	27,151,900
For Travel	249,700
For Commodities	2,518,600
For Equipment	511,000
For Telecommunications Services	5,016,800
For Operation of Automotive Equipment	967,000
For Permanent Improvements	750,000
For Distributive Purposes as follows:	
For Awards and Grants	5,782,500
For Claims under Workers' Compensation and Occupational Disease Acts, other Statutes, and tort claims	3,270,000
For Hospital and Medical Services and Appliances	<u>5,817,600</u>
Total	\$696,901,100

Section 10. The sum of \$1,744,600, or so much thereof as may be necessary, is appropriated from the Fire Prevention Fund to the Board of Trustees of the University of Illinois for the purpose of maintaining the Illinois Fire Service Institute, paying the Institute's expenses, and providing the facilities and structures incident thereto, including payment to the University for personal services and related costs incurred.

Section 15. The sum of \$250,000, or so much thereof as may be necessary, is

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appropriated from the State College and University Trust Fund to the Board of Trustees of the University of Illinois for scholarship grant awards, in accordance with Public Act 91-0083.

Section 20. The sum of \$250,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the University of Illinois for the Early Outreach Program at the Chicago campus for costs associated with the 2004 Summer Prep Program.

Section 25. The sum of \$300,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the University of Illinois to conduct, in cooperation with the Department of Human Services and representative community providers, a comprehensive rate analysis of the State reimbursement levels awarded to Mental Health and Developmentally Disabled community providers. The funding for this study shall not be used to meet other obligations of the Department contained in Statute or any other agreements or obligations. The study must conclude and be submitted to the House Human Services Appropriations Committee and the Senate Appropriations I Committee by March 31, 2005.

Section 30. The sum of \$1,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the University of Illinois for the Complete Help and Assistance Necessary for a College Education (C.H.A.N.C.E) program at the Office of School Relations at the Chicago Campus.

ARTICLE 13

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Western Illinois University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2005:

Payable from the General Revenue Fund:

For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2003-2005	48,600,000
For State Contributions to Social Security, for Medicare	450,000
For Group Insurance	1,744,800
For Contractual Services	2,986,300
For Travel	150,000
For Commodities	800,000
For Equipment	1,000,000
For Telecommunications Services	450,000
For Operation of Automotive Equipment	60,000
For Awards and Grants	50,000
For Permanent Improvements	100,000
Total	\$56,391,100

Section 10. The amount of \$2,000, or so much thereof as may be necessary, is appropriated from the State College and University Trust Fund to the Board of Trustees of Western Illinois University for scholarship grant awards from the sale of collegiate license plates.

ARTICLE 14

Section 5. The following amounts, or so much of those amounts as may be necessary, respectively, are appropriated from the General Revenue Fund to the Illinois Student Assistance Commission for its ordinary and contingent expenses:

For Administration	1,988,000
For Personal Services	
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State Employees Retirement System	320,200
For State Contributions to Social Security	152,000
For Contractual Services	1,802,600
For Travel	26,400

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For Commodities	32,800
For Printing	100,000
For Equipment	10,000
For Telecommunications	113,500
For Operation of Auto Equipment	<u>5,500</u>
Total	\$4,551,000

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Illinois Student Assistance Commission from the Student Loan Operating Fund for its ordinary and contingent expenses:

For Administration

For Personal Services	15,200,200
For Employee Retirement Contributions	
Paid by Employer	456,000
For State Contributions to State	
Employees Retirement System	2,448,100
For State Contributions to	
Social Security	1,163,000
For State Contributions for	
Employees Group Insurance	3,603,100
For Contractual Services	9,864,300
For Travel	190,000
For Commodities	240,000
For Printing	627,000
For Equipment	529,000
For Telecommunications	1,793,500
For Operation of Auto Equipment	<u>32,400</u>
Total	\$36,146,600

Section 15. The sum of \$338,699,800, or so much thereof as may be necessary, is appropriated to the Illinois Student Assistance Commission from the General Revenue Fund for payment of grant awards to students eligible to receive such awards, as provided by law.

Section 20. The following named amount, or so much thereof as may be necessary, respectively, is appropriated from the Monetary Award Program Reserve Fund to the Illinois Student Assistance Commission for the following purpose:

Grants

For payment of Monetary Award	
Program grant awards to students	
eligible to receive such awards,	
as provided by law	875,000

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the General Revenue Fund to the Illinois Student Assistance Commission for the following purposes:

Grants and Scholarships

For payment of matching grants to Illinois	
institutions to supplement scholarship	
programs, as provided by law	950,000
For payment of Merit Recognition Scholarships	
to undergraduate students under the Merit	
Recognition Scholarship Program provided	
for in Section 31 of the Higher Education	
Student Assistance Act	5,400,000
For the payment of scholarships to students	
who are children of policemen or firemen	
killed in the line of duty, or who are	
dependents of correctional officers killed	
or permanently disabled in the line of	
duty, as provided by law	350,000
For payment of Illinois National Guard and	
Naval Militia Scholarships at	
State-controlled universities and public	

community colleges in Illinois to students eligible to receive such awards, as provided by law	4,500,000
For payment of military Veterans' scholarships at State-controlled universities and at public community colleges for students eligible, as provided by law	19,230,000
For payment of Minority Teacher Scholarships	3,100,000
For payment of Illinois Scholars Scholarships	3,020,000
For payment of Illinois Incentive for Access grants, as provided by law	<u>7,200,000</u>
Total	\$43,750,000

Section 30. The sum of \$20,000, or so much thereof as may be necessary, is appropriated from the National Guard Grant Fund to the Illinois Student Assistance Commission for payment of military veterans' scholarships at state-controlled universities and at public community colleges for students eligible, as provided by law.

Section 35. The sum of \$500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Student Assistance Commission for the Loan Repayment for Teachers Program.

Section 40. The following named amount, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Student Assistance Commission for the following purpose:

Grants and Scholarships

For payment of Illinois Future Teacher Corps Scholarships, as provided by law	4,100,000
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Section 45. The following named amount, or so much thereof as may be necessary, is appropriated from the Contracts and Grants Fund to the Illinois Student Assistance Commission for the following purpose:

To support outreach, research, and training activities	70,000
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Section 50. The following named amount, or so much thereof as may be necessary, is appropriated from the Optometric Licensing and Disciplinary Board Fund to the Illinois Student Assistance Commission for the following purpose:

Grants and Scholarships

For payment of scholarships for the Optometric Education Scholarship Program, as provided by law	50,000
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Section 55. The sum of \$190,000,000, or so much thereof as may be necessary, is appropriated from the Federal Student Loan Fund to the Illinois Student Assistance Commission for distribution when necessary as a result of the following: for guarantees of loans that are uncollectible, for collection payments to the Student Loan Operating Fund as required under agreements with the United States Secretary of Education, for payment to the Student Loan Operating Fund for Default Aversion Fees, and for other distributions as necessary and provided for under the Federal Higher Education Act.

Section 60. The sum of \$24,000,000, or so much thereof as may be necessary, is appropriated to the Illinois Student Assistance Commission from the Student Loan Operating Fund for distribution as necessary for the following: for payment of collection agency fees associated with collection activities for Federal Family Education Loans, for Default Aversion Fee reversals, and for distributions as necessary and provided for under the Federal Higher Education Act.

Section 65. The sum of \$5,000,000, or so much thereof as may be necessary, is appropriated to the Illinois Student Assistance Commission from the Student Loan Operating Fund for costs associated with Federal Loan System Development and Maintenance.

Section 70. The sum of \$300,000, or so much of that amount as may be necessary, is appropriated from the Accounts Receivable Fund to the Illinois Student Assistance Commission for costs associated with the collection of delinquent scholarship awards pursuant to the Illinois State Collection Act of 1986.

Section 75. The following named amount, or so much thereof as may be necessary, is appropriated from the Federal Student Assistance Scholarship Fund to the Illinois Student Assistance Commission for the following purpose:

For payment of Robert C. Byrd
Honors Scholarships 1,800,000

Section 80. The sum of \$70,000, or so much thereof as may be necessary, is appropriated to the Illinois Student Assistance Commission from the University Grant Fund for payment of grants for the Higher Education License Plate Program, as provided by law.

Section 85. The following named amount, or so much thereof as may be necessary, is appropriated from the Federal Student Assistance Scholarship Fund to the Illinois Student Assistance Commission for the following purpose:

For transferring repayment funds collected
under the Paul Douglas Teacher Scholarship
Program to the U.S. Treasury 400,000

Section 90. The following named amount, or so much thereof as may be necessary, is appropriated from the Illinois Future Teacher Corps Scholarship Fund to the Illinois Student Assistance Commission for the following purpose:

For payment of scholarships for the
Illinois Future Teacher Corps
Scholarship Program as provided by law 60,000

ARTICLE 15

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Board of the Trustees of Chicago State University to meet ordinary and contingent expenses for the fiscal year ending June 30, 2005:

Payable from the General Revenue Fund:

For Personal Services, including payment to the university for personal services costs incurred during the fiscal year and salaries accrued but unpaid to academic personnel for personal services rendered during the academic year 2003-2005	34,861,700
For State Contributions to Social Security, for Medicare	369,100
For Contractual Services	1,209,600
For Travel	16,000
For Commodities	16,000
For Equipment	313,700
For Telecommunications Services	304,400
For Operation of Automotive Equipment	1,000
For Awards and Grants	102,200
For Permanent Improvements	<u>816,600</u>
Total	\$38,010,300

Section 10. The sum of \$250,000, or so much thereof as may necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Chicago State University to meet the ordinary and contingent expenses of the University required to match the Federal Title II Teacher Quality Enhancement State Grant, including payment or reimbursement to the University for personal services and related costs incurred during the fiscal year authorized by law, for the fiscal year ending June 30, 2005.

Section 15. The sum of \$125,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 12, Section 30 of Public Act 93-90, is reappropriated from the General Revenue Fund to the Board of Trustees of Chicago State University for all costs associated with the Illinois Commission of the 50th anniversary of Brown v. Board of Education, including payments or reimbursement to the University for personal services and related costs incurred during the fiscal year ending June 30, 1005.

Section 20. The sum of \$250,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Chicago State University for the Financial Assistance Outreach Center.

Section 25. The sum of \$250,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of Chicago State University

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for costs associated with the HIV/AIDS Policy and Research Institute in the College of Health Sciences.

ARTICLE 16

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to the State Universities Civil Service System to meet its ordinary and contingent expenses for the fiscal year ending June 30, 2005:

For Personal Services	915,000
For Social Security	11,000
For Contractual Services	251,900
For Travel	12,000
For Commodities	6,000
For Printing	4,000
For Equipment	26,000
For Telecommunications Services	25,700
For Operation of Automotive Equipment	<u>2,000</u>
Total	\$1,253,600

ARTICLE 17

Section 5. The sum of \$3,268,700, or so much thereof as may be necessary, is appropriated to the Community College Health Insurance Security Fund for the State's contribution, as required by law.

Section 10. The sum of \$222,630,000, minus the amount transferred to the State Universities Retirement System pursuant to continuing appropriation authorized by the State Pensions Fund Continuing Appropriation Act, is appropriated from the State Pensions Fund to the Board of Trustees of the State Universities Retirement System of Illinois pursuant to the provisions of Section 8.12 of "AN ACT in relation to State finance", approved June 10, 1919, as amended.

Section 15. The following amounts, or so much thereof as may be necessary, respectively, are appropriated to the Board of Trustees of the State Universities Retirement System for the State's contribution, as provided by law:

Payable from the Education Assistance Fund	47,352,000
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ARTICLE 18

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

FOR OPERATIONS ADMINISTRATIVE SERVICES

Payable from General Revenue Fund:

For Personal Services	1,611,600
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State Employees' Retirement System	259,600
For State Contributions to Social Security	123,100
For Contractual Services	162,900
For Travel	20,400
For Commodities	37,300
For Printing	18,100
For Equipment	37,200
For Telecommunications Services	47,000
For Operation of Auto Equipment	7,600
For Refunds	<u>9,600</u>
Total	\$2,334,400

Payable from Wholesome Meat Fund:

For Personal Services	391,400
For Employee Retirement Contributions	
Paid by Employer	11,800
For State Contributions to State Employees' Retirement System	63,100

For State Contributions to	
Social Security	30,000
For Group Insurance	84,000
For Contractual Services	20,400
For Travel	20,100
For Commodities	1,100
For Printing	1,100
For Equipment	28,000
For Telecommunications Services	1,100
For Operation of Auto Equipment	<u>0</u>
Total	\$652,100
Payable from the Illinois Rural	
Rehabilitation Fund:	
For Illinois' part in administration	
of Titles I and II of the federal	
Bankhead-Jones Farm Tenant Act:	
For Operations	5,000
Section 10. The sum of \$11,370,000, or so much thereof as may be necessary, is	
appropriated from the Agricultural Premium Fund to the Department of Agriculture for deposit	
into the State Cooperative Extension Service Trust Fund.	
Section 15. The sum of \$1,782,100, or so much thereof as may be necessary, is	
appropriated from the General Revenue Fund to the Department of Agriculture for deposit into the	
State Cooperative Extension Service Trust Fund.	
Section 20. The following named amounts, or so much thereof as may be necessary,	
respectively, are appropriated to the Department of Agriculture for:	

COMPUTER SERVICES

Payable from General Revenue Fund:	
For Personal Services	693,100
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	111,700
For State Contributions to	
Social Security	53,100
For Contractual Services	68,500
For Commodities	2,500
For Printing	100
For Equipment	73,200
For Telecommunications Services	24,100
Total	\$1,026,300
Payable from Agricultural Premium Fund:	
For Personal Services	174,000
For Employee Retirement Contributions	
Paid by Employer	5,300
For State Contributions to State	
Employees' Retirement System	28,100
For State Contributions to	
Social Security	13,300
For Contractual Services	45,400
For Equipment	29,000
For Telecommunications Services	<u>5,000</u>
Total	\$300,100

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Agriculture:

FOR OPERATIONS
AGRICULTURE REGULATION

Payable from General Revenue Fund:	
For Personal Services	2,617,200

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For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	421,600
For State Contributions to	
Social Security	200,300
For Contractual Services	39,600
For Travel	243,400
For Commodities	38,200
For Printing	4,800
For Equipment	12,700
For Telecommunications Services	37,700
For Operation of Auto Equipment	<u>26,400</u>
Total	\$3,641,900
Payable from the Agricultural	
Federal Projects Fund:	
For Expenses of Various	
Federal Projects	<u>100,000</u>
Total	\$100,000

Section 30. The sum of \$450,000, or so much thereof as may be necessary, is appropriated from the Fertilizer Control Fund to the Department of Agriculture for Fertilizer Research.

Section 35. The sum of \$1,000,000, or so much thereof as may be necessary, is appropriated from the Feed Control Fund to the Department of Agriculture for Feed Control.

Section 40. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Agriculture:

MARKETING

Payable from General Revenue Fund:	
For Personal Services	534,400
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	86,100
For State Contributions to	
Social Security	40,900
For Contractual Services	9,300
For Travel	6,300
For Commodities	1,900
For Printing	6,600
For Equipment	6,000
For Telecommunications Services	16,000
For Operation of Auto Equipment	<u>2,900</u>
Total	\$710,400
Payable from Agricultural	
Premium Fund:	
For Expenses Connected With the Promotion	
and Marketing of Illinois Agriculture	
and Agriculture Exports	1,956,000
For Implementation of programs	
and activities to promote, develop	
and enhance the biotechnology	
industry in Illinois	140,000
For expenses related to a contractual	
Viticulturist and a contractual	
Enologist	150,000

Payable from Agricultural Marketing

Services Fund:

 For administering Illinois' part under Public

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Law No. 733, "An Act to provide for further research into basic laws and principles relating to agriculture and to improve and facilitate the marketing and distribution of agricultural products"	4,000
Payable from Agriculture Federal Projects Fund:	
For expenses of various Federal Projects	750,000
Payable from the General Revenue Fund:	
For Grants to Aquaculture Cooperatives	200,000
Section 45. The sum of \$5,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Agriculture for the Agriculture Assembly.	
Section 50. The sum of \$384,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Agriculture for the Illinois AgriFIRST Program.	
Section 55. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:	
ANIMAL INDUSTRIES	
Payable from General Revenue Fund:	
For Personal Services	2,962,300
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State Employees' Retirement System	477,200
For State Contributions to Social Security	226,200
For Contractual Services	677,500
For Travel	53,000
For Commodities	388,500
For Printing	11,800
For Equipment	88,500
For Telecommunications Services	53,100
For Operation of Auto Equipment	46,100
For Swine Disease Research	39,700
For Bovine Disease Research	<u>18,800</u>
Total	\$5,042,700
Payable from the Illinois Department of Agriculture Laboratory Services Revolving Fund:	
For Expenses Authorized by the Animal Disease Laboratories Act	700,000
Payable from the Agriculture Federal Projects Fund:	
For Expenses of Various Federal Projects	1,285,000
Section 60. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:	
MEAT AND POULTRY INSPECTION	
Payable from the General Revenue Fund:	
For Personal Services	2,750,200
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State Employees' Retirement System	443,000
For State Contributions to Social Security	210,100
For Contractual Services	100
For Travel	3,600

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For Commodities	100
For Printing	100
For Equipment	1,000
For Telecommunications Services	10,800
For Operation of Auto Equipment	<u>11,800</u>
Total	\$3,430,800
Payable from Wholesome Meat Fund:	
For Personal Services	2,339,700
For Employee Retirement Contributions	
Paid by Employer	70,200
For State Contributions to State	
Employees' Retirement System	376,900
For State Contributions to	
Social Security	179,000
For Group Insurance	708,000
For Contractual Services	95,000
For Travel	225,000
For Commodities	15,000
For Printing	6,000
For Equipment	235,600
For Telecommunications Services	70,700
For Operation of Auto Equipment	<u>109,300</u>
Total	\$4,430,400

Section 65. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

WEIGHTS AND MEASURES

Payable from the General Revenue Fund:	
For Personal Services	660,200
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	106,400
For State Contributions to	
Social Security	50,500
For Contractual Services	8,900
For Travel	19,800
For Commodities	2,900
For Printing	8,000
For Equipment	15,400
For Telecommunications Services	6,900
For Operation of Auto Equipment	24,400
For Expenses of a Motor Fuel and	
Petroleum Standards Program	
pursuant to P.A. 86-0232	<u>79,200</u>
Total	\$982,600
Payable from the Agriculture Federal	
Projects Fund:	
For Expenses of various	
Federal Projects	<u>100,000</u>
Total	\$100,000
Payable from the Weights and Measures Fund:	
For Personal Services	1,035,600
For Employee Retirement Contributions	
Paid by Employer	31,100
For State Contributions to State	
Employees' Retirement System	166,800
For State Contributions to	
Social Security	79,200
For Group Insurance	276,000

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For Contractual Services	184,500
For Travel	98,700
For Commodities	25,900
For Printing	5,300
For Equipment	315,600
For Telecommunications Services	19,600
For Operation of Auto Equipment	<u>112,700</u>
Total	\$2,351,000
Payable from Agricultural Master Fund:	
For Expenses Relating to	
Administering Federal Cooperative	
Agreements Relating to Enforcement of	
Marketing Regulations	415,000
Section 70. The following named amounts, or so much thereof as may be necessary,	
respectively, are appropriated to the Department of Agriculture for:	
Environmental Programs	
Payable from the General Revenue Fund	
For Personal Services	811,700
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	130,800
For State Contributions to Social	
Security	62,100
For Contractual Services	1,700
For Travel	18,200
For Commodities	800
For Printing	1,000
For Equipment	900
For Telecommunications Services	10,100
For Operation of Automotive Equipment	4,800
For the Detection, Eradication, and	
Control of Exotic Pests, such as	
the Asian Long-Horned Beetle and	
Gypsy Moth	<u>228,800</u>
Total	1,270,900
Payable from Agriculture Pesticide Control Act Fund:	
For Expenses of Pesticide Enforcement Program	770,000
Payable from Pesticide Control Fund:	
For Administration and Enforcement	
of the Pesticide Act of 1979	2,363,300
Payable from the Agriculture Federal Projects Fund:	
For expenses of Various Federal Projects	787,000
Payable from the General Revenue Fund:	
For Administration of the Livestock	
Management Facilities Act	288,300
Payable from the Used Tire Management Fund:	
For Mosquito Control	40,000
Section 75. The following named sums, or so much thereof as may be necessary,	
respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary	
and contingent expenses of the Department of Agriculture for:	
LAND AND WATER RESOURCES	
Payable from the Agricultural Premium Fund:	
For Personal Services	795,700
For Employee Retirement Contributions	
Paid by Employer	23,900
For State Contributions to State	
Employees' Retirement System	128,200
For State Contributions to Social	

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Security	60,900
For Contractual Services	110,100
For Travel	22,800
For Commodities	7,000
For Printing	7,900
For Equipment	39,900
For Telecommunications Services	20,500
For Operation of Automotive Equipment	15,000
For the Ordinary and Contingent Expenses of the Natural Resources Advisory Board	<u>2,000</u>
Total	\$1,233,900

Payable from the Agriculture Federal Projects Fund:

For Expenses Relating to Various Federal Projects	815,000
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Section 80. The sum of \$4,700,000, or so much thereof as may be necessary, is appropriated to the Department of Agriculture from the Conservation 2000 Fund for the Conservation 2000 Program to implement agricultural resource enhancement programs for Illinois' natural resources, including operational expenses, consisting of the following elements at the approximate costs set forth below:

Conservation Practices	
Cost Sharing Program	2,050,000
Sustainable Agriculture Program	450,000
Soil and Water Conservation Grants	1,700,000
Streambank Restoration	500,000

Section 85. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Agriculture for:

SPRINGFIELD BUILDINGS AND GROUNDS

Payable from General Revenue Fund:

For Personal Services	2,690,700
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	433,400
For State Contributions to Social Security	217,500
For Contractual Services	1,712,600
For Payment to the City of Springfield for Fire Protection Services at the Illinois State Fairgrounds	139,700
For Commodities	79,200
For Equipment	120,000
For Telecommunications Services	57,900
For Operation of Auto Equipment	<u>6,300</u>
Total	\$5,457,300

Section 90. The sum of \$1,150,000, or so much thereof as may be necessary, is appropriated from the Illinois State Fair Fund to the Department of Agriculture to satisfy obligations related to the development, use, and operation of a multi-purpose outdoor theater, and to promote and conduct activities at the Illinois State Fairgrounds at Springfield other than the Illinois State Fair, including administrative expenses. No expenditures from the appropriation shall be authorized until revenues from fairground uses sufficient to offset such expenditures have been collected and deposited into the Illinois State Fair Fund.

Section 95. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

DUQUOIN BUILDINGS AND GROUNDS

Payable from General Revenue Fund:

For Personal Services	930,400
For Employee Retirement Contributions	

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Paid by Employer	0
For State Contributions to State Employees' Retirement System	149,900
For State Contributions to Social Security	71,700
For Contractual Services	325,700
For Travel	6,900
For Commodities	60,500
For Equipment	90,200
For Telecommunications Services	16,900
For Operation of Auto Equipment	7,100
Total	\$1,659,300

Section 100. The sum of \$316,000, or so much thereof as may be necessary, is appropriated from the Agricultural Premium Fund to the Department of Agriculture to conduct activities at the Illinois State Fairgrounds at DuQuoin other than the Illinois State Fair, including administrative expenses. No expenditures from the appropriation shall be authorized until revenues from fairgrounds uses sufficient to offset such expenditures have been collected and deposited into the Agricultural Premium Fund.

Section 105. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

DUQUOIN STATE FAIR

Payable from General Revenue Fund:

For Personal Services	245,300
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	39,600
For State Contributions to Social Security	19,900
For Contractual Services	408,600
For Travel	5,600
For Commodities	22,800
For Printing	8,100
For Equipment	6,500
For Telecommunications Services	33,200
For Operation of Auto Equipment	1,000
For Entertainment at the DuQuoin State Fair	<u>460,400</u>
Total	\$1,251,000

Payable from the Agricultural Premium Fund:

For Financial Assistance for the DuQuoin State Fair	455,200
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Section 110. The following named amount, or so much thereof as may be necessary, is appropriated to the Department of Agriculture for:

ILLINOIS STATE FAIR

Payable from the Illinois State Fair Fund:

For Operations of the Illinois State Fair Including Entertainment and the Percentage Portion of Entertainment Contracts	<u>4,000,000</u>
Total	\$4,000,000

Section 115. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

COUNTY FAIRS AND HORSE RACING

Payable from the Agricultural Premium Fund:

For Personal Services	188,100
For Employee Retirement Contributions Paid by Employer	5,700
For State Contributions to State Employees' Retirement System	30,300

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For State Contributions to Social Security	14,400
For Contractual Services	5,800
For Travel	3,500
For Commodities	2,000
For Printing	3,500
For Equipment	11,300
For Telecommunications Services	4,900
For Operation of Auto Equipment	2,000
Total	\$271,500
Payable from Illinois Standardbred Breeders Fund:	
For Personal Services	77,700
For Employee Retirement Contributions Paid by Employer	2,400
For State Contributions to State Employees' Retirement System	12,600
For State Contributions to Social Security	6,000
For Contractual Services	20,600
For Travel	5,000
For Commodities	2,000
For Printing	3,000
For Operation of Auto Equipment	4,000
Total	\$133,300
Payable from Illinois Thoroughbred Breeders Fund:	
For Personal Services	300,600
For Employee Retirement Contributions Paid by Employer	9,100
For State Contributions to State Employees' Retirement System	48,500
For State Contributions to Social Security	23,000
For Contractual Services	26,100
For Travel	6,000
For Commodities	2,000
For Printing	2,100
For Equipment	28,400
For Telecommunications Services	15,600
For Operation of Auto Equipment	6,500
Total	\$467,900
Section 120. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:	
ADMINISTRATIVE SERVICES PROGRAMS	
Payable from the Illinois Rural Rehabilitation Fund:	
For Illinois' part in administration of Titles I and II of the federal Bankhead-Jones Farm Tenant Act:	
For Programs, Loans and Grants	38,000
Payable from the General Revenue Fund:	
For the Agricultural Leadership Foundation	28,800
For distribution of institutional agricultural research grants to public universities authorized by the Food and Agriculture Research Act to include administrative costs incurred by the Department of Agriculture pursuant to Section 15 of the Food and	

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Agriculture Research Act (Public Act 89-182)	<u>3,500,000</u>
Total	\$3,566,800

Section 125. The following named amount, or so much thereof as may be necessary, is appropriated to the Department of Agriculture for:

ANIMAL INDUSTRIES PROGRAMS

Payable from General Revenue Fund:

For awards for destruction of livestock, as provided by law	4,700
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Section 130. The following named amount, or so much thereof as may be necessary, is appropriated to the Department of Agriculture for:

LAND AND WATER RESOURCES PROGRAMS

Payable from the General Revenue Fund:

For Soil Surveys in Mapping Illinois Soil and operational expenses	394,700
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For grants to Soil and Water Conservation Districts for clerical and other personnel, for education and promotional assistance, and for expenses of Water Conservation District Boards and administrative Expenses	<u>5,545,600</u>
Total	\$5,940,300

Section 135. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Agriculture for:

ILLINOIS STATE FAIR PROGRAMS

Payable from the General Revenue Fund:

For Awards to Livestock Breeders and related expenses	160,500
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For Awards and Premiums at the Illinois State Fair and related expenses	297,000
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For Awards and Premiums for Grand Circuit Horse Racing at the Illinois State Fairgrounds and related expenses	<u>138,000</u>
Total	\$595,500

Payable from the Illinois State Fair Fund:

For Awards to Livestock Breeders and related expenses	57,400
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For Awards and Premiums at the Illinois State Fair and related expenses	173,200
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For Awards and Premiums for Grand Circuit Horse Racing at the Illinois State Fairgrounds and related expenses	<u>49,400</u>
Total	\$280,000

Section 140. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Agriculture for:

DUQUOIN STATE FAIR PROGRAMS

Payable from General Revenue Fund:

For awards and premiums to the DuQuoin State Fair and related expenses	139,200
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For harness racing at the DuQuoin State Fair and related expenses	<u>29,500</u>
Total	\$168,700

Section 145. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Agriculture for:

COUNTY FAIRS AND HORSE RACING PROGRAMS

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Payable from the Illinois Racing Quarterhorse Breeders Fund:	
For promotion of the Illinois horse racing and breeding industry	71,200
Payable from the Illinois Standardbred Breeders Fund:	
For grants and other purposes	1,473,200
Payable from the Illinois Thoroughbred Breeders Fund:	
For grants and other purposes	<u>2,007,900</u>
Total	<u>\$3,552,300</u>
Payable from the Agricultural Premium Fund:	
For distribution to encourage and aid county fairs and other agricultural societies. This distribution shall be prorated and approved by the Department of Agriculture	2,146,100
For premiums to agricultural extension or 4-H clubs to be distributed at a uniform rate	762,000
For premiums to vocational agriculture fairs	179,500
For rehabilitation of county fairgrounds	2,602,000
For grants and other purposes for county fair and state fair horse racing	<u>413,000</u>
Total	<u>\$6,102,600</u>
Payable from the General Revenue Fund:	
For distribution to county fairs for premiums and rehabilitation as set forth in the Agriculture Fair Act	<u>666,000</u>
Total	<u>\$666,000</u>
Payable from Fair and Exposition Fund:	
For distribution to County Fairs and Fair and Exposition Authorities	<u>1,357,400</u>
Total	<u>\$1,357,400</u>

Section 150. The amount of \$250,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Agriculture for grants, contracts, and administrative expenses associated with the development of the Illinois Grape and Wine Industry, including prior year costs.

ARTICLE 19

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named are appropriated to the Department of Central Management Services:

BUREAU OF ADMINISTRATIVE OPERATIONS	
PAYABLE FROM GENERAL REVENUE FUND	
For Personal Services	3,060,900
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State Employees' Retirement System	493,000
For State Contributions to Social Security	214,300
For Contractual Services	317,600
For Travel	61,000
For Commodities	18,000
For Printing	24,900
For Equipment	14,100
For Electronic Data Processing	323,000
For Telecommunications Services	58,100

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For Operation of Auto Equipment	1,200
For Refunds	<u>1,800</u>
Total	\$4,587,900
PAYABLE FROM STATE GARAGE REVOLVING FUND	
For Personal Services	400,200
For Employee Retirement Contributions	
Paid by Employer	12,000
For State Contributions to State	
Employees' Retirement System	64,500
For State Contribution to	
Social Security	30,700
For Group Insurance	96,000
For Contractual Services	16,600
For Travel	1,000
For Commodities	5,000
For Printing	2,900
For Equipment	5,800
For Electronic Data Processing	860,000
For Telecommunications Services	<u>7,900</u>
Total	\$1,502,600
PAYABLE FROM STATISTICAL SERVICES REVOLVING FUND	
For Personal Services	598,300
For Employee Retirement Contributions	
Paid by Employer	17,900
For State Contribution to State	
Employees' Retirement Fund	96,400
For State Contributions to Social	
Security	45,800
For Group Insurance	108,000
For Contractual Services	14,100
For Travel	2,000
For Commodities	3,700
For Printing	3,700
For Equipment	4,700
For Electronic Data Processing	11,800
For Telecommunications Services	<u>8,100</u>
Total	\$914,500
PAYABLE FROM PAPER AND PRINTING REVOLVING FUND	
For Personal Services	49,900
For Employee Retirement Contributions	
Paid by Employer	1,500
For State Contributions to State	
Employees' Retirement System	8,000
For State Contribution to	
Social Security	3,900
For Group Insurance	12,000
For Contractual Services	500
For Commodities	300
For Printing	200
For Equipment	1,000
For Electronic Data Processing	107,100
For Telecommunications Services	<u>800</u>
Total	\$185,200
PAYABLE FROM COMMUNICATIONS REVOLVING FUND	
For Personal Services	467,100
For Employee Retirement Contributions	
Paid by Employer	14,000
For State Contributions to State	
Employees' Retirement System	75,200

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For State Contribution to Social Security	35,800
For Group Insurance	108,000
For Contractual Services	29,800
For Travel	1,200
For Commodities	4,800
For Printing	7,000
For Equipment	5,900
For Electronic Data Processing	4,804,700
For Telecommunications Services	<u>6,400</u>
Total	\$5,559,900

PAYABLE FROM PROFESSIONAL SERVICES FUND

For Personal Services	5,932,100
For Employee Retirement Contributions	
Paid by Employer	178,000
For State Contributions to State Employees' Retirement System	955,400
For State Contributions to Social Security	453,800
For Group Insurance	1,344,000
For Contractual Services	334,800
For Travel	198,700
For Commodities	23,400
For Printing	35,100
For Equipment	61,500
For Electronic Data Processing	100,200
For Telecommunications Services	77,900
For Internal Audit Consolidation	<u>2,580,100</u>
Total	\$12,275,000

Section 10. In addition to any other amounts heretofore appropriated for such purpose, \$64,700,000, or so much thereof as may be necessary, is appropriated from the Efficiency Initiatives Revolving Fund to the Department of Central Management Services for costs associated with the efficiency initiatives authorized by Section 405-292 of the Department of Central Management Services Law of the Civil Administrative Code of Illinois.

Section 15. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Central Management Services:

ILLINOIS INFORMATION SERVICES

PAYABLE FROM GENERAL REVENUE FUND

For Personal Services	727,300
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State Employees' Retirement System	117,200
For State Contributions to Social Security	51,000
For Contractual Services	56,600
For Travel	10,500
For Commodities	6,000
For Printing	400
For Equipment	38,200
For Telecommunications Services	39,200
For Operation of Auto Equipment	<u>4,400</u>
Total	\$1,050,800

PAYABLE FROM PAPER AND PRINTING REVOLVING FUND

For Personal Services	0
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	

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Employees' Retirement System	0
For State Contributions to	
Social Security	0
For Group Insurance	0
For Contractual Services	0
For Travel	0
For Commodities	0
For Printing	0
For Equipment	0
For Telecommunications Services	0
For Operation of Auto Equipment	0
For Warehouse Stock for all State Agencies	
and For Printing and Distribution of	
Wall Certificates	0
For Refunds	<u>0</u>
Total	\$0
PAYABLE FROM COMMUNICATIONS REVOLVING FUND	
For Personal Services	1,267,900
For Employee Retirement Contributions	
Paid by Employer	38,000
For State Contributions to State	
Employees' Retirement System	204,200
For State Contributions to Social	
Security	97,000
For Group Insurance	372,000
For Contractual Services	1,676,200
For Travel	13,100
For Commodities	21,700
For Printing	43,000
For Equipment	100,200
For Telecommunications Services	6,700
For Operation of Auto Equipment	<u>73,500</u>
Total	\$3,913,500

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Central Management Services:

BUREAU OF STRATEGIC SOURCING AND PROCUREMENT	
PAYABLE FROM GENERAL REVENUE FUND	
For Personal Services	1,815,200
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	292,400
For State Contributions to Social	
Security	127,100
For Contractual Services	104,700
For Travel	31,100
For Commodities	25,500
For Printing	28,100
For Equipment	11,800
For Telecommunications Services	35,900
For Operation of Auto Equipment	<u>3,200</u>
Total	\$2,475,000
PAYABLE FROM STATE GARAGE REVOLVING FUND	
For Personal Services	7,570,000
For Employee Retirement Contributions	
Paid by Employer	227,100
For State Contributions to State	
Employees' Retirement System	1,219,200

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For State Contributions to Social Security	579,000
For Group Insurance	1,752,000
For Contractual Services	1,107,000
For Travel	39,900
For Commodities	135,100
For Printing	34,500
For Equipment	750,500
For Telecommunications Services	151,600
For Operation of Auto Equipment	21,217,100
For Refunds	10,000
Total	\$34,793,000
PAYABLE FROM STATISTICAL SERVICES REVOLVING FUND	
For Personal Services	1,405,000
For Employee Retirement Contributions	
Paid by Employer	42,100
For State Contributions to State Employees' Retirement System	226,300
For State Contributions to Social Security	107,500
For Group Insurance	336,000
For Contractual Services	520,200
For Travel	31,600
For Commodities	13,600
For Printing	5,400
For Equipment	19,000
For Electronic Data Processing	9,200
For Telecommunications Services	21,000
Total	\$2,736,900
PAYABLE FROM PAPER AND PRINTING REVOLVING FUND	
For Personal Services	128,500
For Employee Retirement Contributions	
Paid by Employer	3,900
For State Contributions to State Employees' Retirement System	20,700
For State Contributions to Social Security	9,900
For Group Insurance	36,000
For Contractual Services	113,300
For Travel	6,600
For Commodities	25,000
For Printing	5,000
For Equipment	70,000
For Telecommunications Services	3,700
For Operation of Auto Equipment	4,500
For Warehouse Stock for all State Agencies and for printing and distribution of wall certificates	1,971,100
For Refunds	5,000
Total	\$2,403,200
PAYABLE FROM COMMUNICATIONS REVOLVING FUND	
For Personal Services	460,000
For Employee Retirement Contributions	
Paid by Employer	13,800
For State Contributions to State Employees' Retirement System	74,100
For State Contributions to Social Security	35,200
For Group Insurance	108,000

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For Contractual Services	9,000
For Travel	8,000
For Commodities	2,700
For Printing	900
For Equipment	9,700
For Electronic Data Processing	13,300
For Telecommunications Services	<u>7,800</u>
Total	\$742,500
PAYABLE FROM HEALTH INSURANCE RESERVE FUND	
For Personal Services	411,400
For Employee Retirement Contributions	
Paid by Employer	12,300
For State Contributions to State	
Employees' Retirement System	66,300
For State Contributions to Social	
Security	31,500
For Group Insurance	84,000
For Contractual Services	7,000
For Travel	21,500
For Commodities	2,100
For Printing	700
For Equipment	8,100
For Electronic Data Processing	12,300
For Telecommunications Services	<u>6,800</u>
Total	\$664,000

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named are appropriated to the Department of Central Management Services:

BUREAU OF BENEFITS	
PAYABLE FROM GENERAL REVENUE FUND	
For Personal Services	524,700
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	84,500
For State Contributions to Social	
Security	37,200
For Group Insurance and for Payment	
of Workers' Compensation Act Claims	
for First Aid, Medical, Surgical	
and Hospital Services	956,102,400
For Contractual Services	59,200
For Travel	7,800
For Commodities	5,700
For Printing	2,200
For Equipment	1,200
For Telecommunications Services	10,900
For Operation of Auto Equipment	400
For payment of claims under the	
Representation and Indemnification	
in Civil Lawsuits Act	1,477,400
For payment of Workers' Compensation	
Act claims and contractual services in	
connection with said claims	
payments	13,920,000
For auto liability, adjusting and administration	
of claims, loss control and prevention	
services, and auto liability claims	<u>1,600,200</u>
Total	\$973,833,800

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PAYABLE FROM LOCAL GOVERNMENT HEALTH INSURANCE RESERVE FUND	
For Personal Services	471,400
For Employee Retirement Contributions	
Paid by Employer	14,100
For State Contributions to State	
Employees' Retirement System	75,900
For State Contributions to Social	
Security	36,100
For Group Insurance	132,000
For Contractual Services	169,500
For Travel	19,000
For Commodities	10,000
For Printing	140,000
For Equipment	17,700
For Electronic Data Processing	47,000
For Telecommunications Services	18,400
For Operation of Auto Equipment	<u>6,500</u>
Total	\$1,157,600

For the Local Governments Contribution
Under Program of Group Life, Dental, Hospital,
And Surgical And Medical Insurance For
Persons Serving Local Governments 115,000,000

PAYABLE FROM ROAD FUND

For Group Insurance	121,659,000
For payment of claims and claims administration under the Workers' Compensation Act	5,364,400

PAYABLE FROM GROUP INSURANCE PREMIUM FUND

For expenses of Cost Containment Program	288,000
For Life Insurance Coverage As Elected By Members Per The State Employees Group Insurance Act	77,433,000

PAYABLE FROM HEALTH INSURANCE RESERVE FUND

For Expenses of a Cost Containment Program	158,900
For Provisions of Health Care Coverage As Elected by Eligible Members Per State Employees Group Insurance Act	1,642,186,300

PAYABLE FROM WORKERS' COMPENSATION REVOLVING FUND

For administrative costs of claims services and payment of temporary total disability claims of any state agency or university employee	650,000
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Expenditures from appropriations for treatment and expense may be made after the Department of Central Management Services has certified that the injured person was employed and that the nature of the injury is compensable in accordance with the provisions of the Workers' Compensation Act or the Workers' Occupational Diseases Act, and then has determined the amount of such compensation to be paid to the injured person.

Expenditures for this purpose may be made by the Department of Central Management Services without regard to the fiscal year in which benefit or service was rendered or cost incurred as allowable or provided by the Workers' Compensation Act or the Workers' Occupational Diseases Act.

PAYABLE FROM STATE EMPLOYEES DEFERRED COMPENSATION FUND

For expenses related to the administration of the State Employees Deferred Compensation Plan	1,698,300
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Section 27. The sum of \$350,000, or so much thereof as may be necessary, is appropriated from the Senior Citizens and Disabled Persons Prescription Drug Discount Fund to the Department of Central Management Services' Bureau of Benefits for expenses related to the Senior Citizens and Disabled Persons Prescription Drug Discount Program operated by the

Department.

Section 30. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named are appropriated to the Department of Central Management Services:

BUREAU OF PERSONNEL	
PAYABLE FROM GENERAL REVENUE FUND	
For Personal Services	5,083,600
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	818,800
For State Contributions to Social	
Security	388,900
For Contractual Services	190,000
For Travel	49,100
For Commodities	32,700
For Printing	37,900
For Equipment	19,500
For Telecommunications Services	69,500
For Operation of Auto Equipment	3,700
For Awards to Employees and	
Expenses of Employees' Suggestion	
Award Board	8,900
For Wage Claims	870,000
For Expenses of Compensation Review Board	8,200
For Expenses of the Upward Mobility Program	5,254,000
For Expenses of the Governor's Commission	
on the Status of Women in Illinois	141,100
For Veterans' Job Assistance Program	297,100
For Governor's and Vito Marzullo's	
Internship programs	731,600
For Nurses' Tuition	<u>67,200</u>
Total	\$14,071,800

Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the Department of Central Management Services:

BUSINESS ENTERPRISE PROGRAM	
PAYABLE FROM GENERAL REVENUE FUND	
For Personal Services	289,800
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	46,700
For State Contributions to Social	
Security	20,400
For Contractual Services	71,900
For Travel	13,300
For Commodities	6,200
For Printing	8,600
For Equipment	1,000
For Telecommunications Services	7,700
For Operation of Auto Equipment	<u>2,300</u>
Total	\$467,900
PAYABLE FROM MINORITY AND FEMALE BUSINESS ENTERPRISE FUND	
For Expenses of the Business	
Enterprise Program	50,000

Section 40. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Central Management Services:

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BUREAU OF PROPERTY MANAGEMENT
PAYABLE FROM GENERAL REVENUE FUND

For Personal Services	6,419,100
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	1,033,900
For State Contributions to Social	
Security	449,550
For Contractual Services	9,154,900
For Travel	13,500
For Commodities	139,500
For Printing	12,000
For Equipment	36,700
For Telecommunications Services	102,600
For Operation of Auto Equipment	24,700
For Surplus Real Property	<u>195,200</u>
Total	\$17,581,650
PAYABLE FROM STATISTICAL SERVICES REVOLVING FUND	
For Personal Services	607,500
For Employee Retirement Contributions	
Paid by Employer	18,200
For State Contributions to State	
Employees' Retirement System	97,900
For State Contributions to Social	
Security	46,500
For Group Insurance	84,000
For Contractual Services	438,400
For Commodities	19,800
For Equipment	1,100
For Telecommunications Services	<u>10,300</u>
Total	\$1,323,700
PAYABLE FROM STATE SURPLUS PROPERTY REVOLVING FUND	
For Personal Services	965,400
For Employee Retirement Contributions	
Paid by Employer	29,000
For State Contributions to State	
Employees' Retirement System	155,500
For State Contributions to Social	
Security	73,900
For Group Insurance	228,000
For Contractual Services	567,500
For Travel	39,700
For Commodities	10,300
For Printing	5,000
For Equipment	124,900
For Electronic Data Processing	83,000
For Telecommunications Services	26,000
For Operation of Auto Equipment	127,700
For Expenses of a Recycling	
Program	150,000
For Refunds	<u>5,000</u>
Total	\$2,590,900

Section 45. The sum of \$200,000, or so much thereof as may be necessary, is appropriated from the Facilities Management Revolving Fund to the Department of Central Management Services for expenses related to the management of facilities operated by the Department.

Section 50. The sum of \$138,000, or so much thereof as may be necessary, is appropriated from the Special Events Revolving Fund to the Department of Central Management

[July 24, 2004]

Services for expenses related to the lease or rental of buildings subject to the jurisdictions of the Department of Central Management Services to individuals or organizations, pursuant to Public Act 84-0961.

Section 55. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to the Department of Central Management Services:

BUREAU OF COMMUNICATION AND COMPUTER SERVICES	
PAYABLE FROM GENERAL REVENUE FUND	
For Education Technology, including operating and administrative costs	20,400,000
PAYABLE FROM STATISTICAL SERVICES REVOLVING FUND	
For Personal Services	20,096,800
For Employee Retirement Contributions	
Paid by Employer	602,900
For State Contributions to State Employees' Retirement System	3,236,800
For State Contributions to Social Security	1,537,400
For Group Insurance	3,096,000
For Contractual Services	2,608,600
For Travel	117,600
For Commodities	108,300
For Printing	209,000
For Equipment	178,400
For Electronic Data Processing	70,929,600
For Telecommunications Services	3,887,500
For Operation of Auto Equipment	6,300
For Refunds	<u>7,593,400</u>
Total	\$114,208,600
PAYABLE FROM COMMUNICATIONS REVOLVING FUND	
For Personal Services	6,942,000
For Employee Retirement Contributions	
Paid by Employer	208,300
For State Contributions to State Employees' Retirement System	1,118,100
For State Contributions to Social Security	531,100
For Group Insurance	1,296,000
For Contractual Services	2,273,100
For Travel	54,000
For Commodities	22,800
For Printing	57,500
For Equipment	31,700
For Telecommunications Services	133,871,600
For Operation of Auto Equipment	15,000
For Refunds	<u>280,000</u>
Total	\$146,701,200

Section 60. The amount of \$4,061,300, or so much thereof as may be necessary, is appropriated from the Statistical Services Revolving Fund to the Department of Central Management Services for expenses related to the study, development and implementation of technology standards including related administrative expenses.

ARTICLE 20

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

For Personal Services	239,100
For Employee Retirement Contributions	
Paid by Employer	0

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For State Contributions to State Employees' Retirement System	38,500
For State Contributions to Social Security	18,300
For Contractual Services	47,500
For Travel	18,700
For Commodities	3,400
For Printing	1,400
For Equipment	19,200
For Telecommunications Services	<u>5,800</u>
Total	\$391,900

ARTICLE 21

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses to the Illinois Commerce Commission:

CHAIRMAN AND COMMISSIONER'S OFFICE

Payable from Transportation Regulatory Fund:

For Personal Services	77,100
For Employee Retirement Contributions	
Paid by Employer	2,300
For State Contributions to State Employees' Retirement System	12,400
For State Contributions to Social Security	5,900
For Group Insurance	12,000
For Contractual Services	400
For Travel	2,100
For Equipment	5,800
For Telecommunications	7,200
For Operation of Auto Equipment	<u>1,100</u>
Total	\$126,300

Payable from Public Utility Fund:

For Personal Services	712,100
For Employee Retirement Contributions	
Paid by Employer	21,400
For State Contributions to State Employees' Retirement System	114,700
For State Contributions to Social Security	54,500
For Group Insurance	144,000
For Contractual Services	22,700
For Travel	64,900
For Commodities	2,100
For Equipment	2,300
For Telecommunications	20,000
For Operation of Auto Equipment	<u>800</u>
Total	\$1,159,500

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for ordinary and contingent expenses to the Illinois Commerce Commission, as follows:

PUBLIC UTILITIES

Payable from Public Utility Fund:

For Personal Services	12,057,300
For Employee Retirement Contributions	
Paid by Employer	361,700
For State Contributions to State Employees' Retirement System	1,941,900
For State Contributions to Social Security	915,600

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For Group Insurance	2,412,000
For Contractual Services	1,572,400
For Travel	224,400
For Commodities	46,700
For Printing	50,500
For Equipment	74,800
For Electronic Data Processing	812,700
For Telecommunications	536,000
For Operation of Auto Equipment	21,000
For Refunds	<u>17,000</u>
Total	\$21,044,000
Payable from General Revenue Fund:	
For legal costs associated with the passage of "An Act to abolish incinerator subsidies under the retail rate law"	391,900

Section 15. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Illinois Commerce Commission:

TRANSPORTATION

Payable from Transportation Regulatory Fund:	
For Personal Services	3,675,900
For Employee Retirement Contributions	
Paid by Employer	110,300
For State Contributions to State Employees' Retirement System	592,000
For State Contributions to Social Security	281,300
For Group Insurance	684,000
For Contractual Services	506,800
For Travel	160,600
For Commodities	28,300
For Printing	27,800
For Equipment	91,400
For Electronic Data Processing	405,300
For Telecommunications	287,900
For Operation of Auto Equipment	47,900
For Refunds	<u>25,000</u>
Total	\$6,924,500

Section 20. The sum of \$8,000,000, or so much thereof as may be necessary, is appropriated from the Transportation Regulatory Fund to the Illinois Commerce Commission for disbursing funds collected for the Single State Insurance Registration Program to be distributed to: (1) participating states, provided that no distributions exceed funds made available from registration collections; and (2) for refunds for overpayments.

Section 25. The sum of \$1,757,600, or so much thereof as may be necessary, is appropriated from the Public Utility Fund to assist the Illinois Commerce Commission in implementing the Electric Service Customer Choice and Rate Relief Law of 1997, including costs in the prior year.

Section 30. The sum of \$5,000,000, or so much thereof as may be necessary, is appropriated from the Digital Divide Elimination Infrastructure Fund to the Illinois Commerce Commission for grants and awards for the construction of high-speed data transmission facilities.

Section 35. The sum of \$950,000, or so much thereof as may be necessary, is appropriated from the Restricted Call Registry Fund to the Illinois Commerce Commission for the purpose of implementing the Restricted Call Registry Act, including costs in prior years.

Section 40. The sum of \$74,000, or so much thereof as may be necessary, is appropriated from the Underground Utility Facilities Damage Prevention Fund to the Illinois Commerce Commission for a grant to the Statewide One-call Notice System, as required in the Illinois Underground Utility Facilities Damage Prevention Act.

The sum of \$1,000, or so much thereof as may be necessary, is appropriated from the Underground Utility Facilities Damage Prevention Fund to the Illinois Commerce Commission for

refunds.

Section 45. The sum of \$44,800,000, or so much thereof as may be necessary, is appropriated from the Wireless Service Emergency Fund to the Illinois Commerce Commission for grants to emergency telephone system boards, qualified government entities, or the Department of State Police for the design, implementation, operation, maintenance, or upgrade of wireless 9-1-1 or E9-1-1 emergency services and public safety answering points and for reimbursement of the Communications Revolving Fund for administrative costs incurred by the Illinois Commerce Commission related to administering the program.

Section 50. The sum of \$35,400,000, or so much thereof as may be necessary, is appropriated from the Wireless Carrier Reimbursement Fund to the Illinois Commerce Commission for reimbursement of wireless carriers for costs incurred in complying with the applicable provisions of Federal Communications Commission wireless enhanced 9-1-1 services mandates and for reimbursement of the Communications Revolving Fund for administrative costs incurred by the Illinois Commerce Commission related to administering the program.

Section 55. The sum of \$250,000, or so much thereof as may be necessary, is appropriated from the Transportation Regulatory Fund to assist the Illinois Commerce Commission in monitoring railroad crossing safety.

ARTICLE 22

Section 5. The following amounts, or so much of those amounts as may be necessary, respectively, are appropriated to the State Board of Elections for its ordinary and contingent expenses as follows:

	The Board	
For Contractual Services		17,300
For Travel		18,100
For Equipment		<u>500</u>
TOTAL		\$35,900
	Administration	
For Personal Services		546,300
For Employee Retirement Contributions		
Paid By Employer		21,900
For State Contributions to State Employees'		
Retirement System		87,987
For State Contributions to		
Social Security		41,800
For Contractual Services		371,250
For Travel		17,965
For Commodities		16,200
For Printing		10,500
For Equipment		1,900
For Telecommunications		109,100
For Operation of Automotive Equipment		<u>2,900</u>
TOTAL		\$1,227,802
	Elections	
For Personal Services		1,376,000
For Employee Retirement Contributions		
Paid By Employer		55,100
For State Contributions to State		
Employees' Retirement System		221,619
For State Contributions to Social Security		105,300
For Contractual Services		19,220
For Travel		42,970
For Printing		28,600
For Equipment		2,800
For Purchase of Election Codes		15,000
For HAVA Maintenance of Effort Contribution-State		550,000
For Reimbursement to Counties for Increased Compensation		
to Judges and other Election Officials, as provided		
in Public Acts 81-850, 81-1149, and 90-672		3,450,000
For Payment of Lump Sum Awards to County Clerks, County		

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Recorders, and Chief Election Clerks as Compensation for Additional Duties required of such officials by consolidation of elections law, as provided in Public Acts 82-691 and 90-713	812,500
For Payment to Election Authorities for expenses in supplying voter registration tapes to the State Board of Elections pursuant to Public Act 85-958	<u>32,500</u>
TOTAL	\$6,711,609
General Counsel	
For Personal Services	252,600
For Employee Retirement Contributions	
Paid By Employer	10,100
For State Contributions to State Employees' Retirement System	40,684
For State Contributions to Social Security	19,400
For Contractual Services	138,400
For Travel	6,000
For Equipment	<u>500</u>
TOTAL	\$467,684
Campaign Disclosure	
For Personal Services	689,400
For Employee Retirement Contributions	
Paid By Employer	27,600
For State Contributions to State Employees' Retirement System	111,035
For State Contributions to Social Security	52,800
For Contractual Services	15,825
For Travel	11,000
For Printing	16,900
For Equipment	<u>12,800</u>
TOTAL	\$937,360
Information Technology	
For Personal Services	390,100
For Employee Retirement Contributions	
Paid By Employer	15,600
For State Contributions to State Employees' Retirement System	62,991
For State Contributions to Social Security	29,900
For Contractual Services	316,650
For Travel	11,300
For Commodities	16,600
For Printing	700
For Equipment	<u>94,000</u>
TOTAL	\$937,841
Total General Revenue Fund:	\$10,318,196
Section 10. The following amount, or so much of that amount as may be necessary, is appropriated to the State Board of Elections:	
For Implementation of Help America Vote Act of 2002 Lump Sum Payable from Help Illinois Vote Fund	140,000,000
Section 15. The sum of \$5,000,000, or so much thereof as may be necessary, is appropriated from the Capital Development Fund to the State Board of Elections for grants to local governments for the purchase of handicapped accessible polling machines.	
Section 20. No contract shall be entered into or obligation incurred for any expenditures made from an appropriation herein made in Section 15 until after the purpose and amounts have been approved in writing by the Governor.	

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ARTICLE 23

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

OFFICE OF THE DIRECTOR

Payable from Title III Social Security and
Employment Service Fund:

For Personal Services	6,792,600
For Employee Retirement Contributions	
Paid by Employer	3,056,100
For State Contributions to State	
Employees' Retirement System	1,094,000
For State Contributions to	
Social Security	519,700
For Group Insurance	1,404,000
For Contractual Services	611,000
For Travel	127,300
For Telecommunications Services	<u>237,700</u>
Total	\$13,842,400

Section 10. The amount of \$10,000,000, or so much thereof as may be necessary, is appropriated from the Unemployment Compensation Special Administration Fund to the Department of Employment Security for the payment of interest on advances made to the Unemployment Trust Fund as required by Title XII of the Social Security Act.

Section 15. The following named amounts, or so much thereof as may be necessary, respectively, for the purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Employment Security:

FINANCE AND ADMINISTRATION BUREAU

Payable from Title III Social Security
and Employment Service Fund:

For Personal Services	12,769,600
For State Contributions to State	
Employees' Retirement System	2,056,700
For State Contributions to	
Social Security	976,900
For Group Insurance	3,000,000
For Contractual Services	14,584,300
For Travel	132,600
For Commodities	1,138,500
For Printing	1,942,800
For Equipment	922,400
For Telecommunications Services	547,300
For Operation of Auto Equipment	96,500

Payable from Title III Social Security
and Employment Service Fund:

For expenses related to America's	
Labor Market Information System	4,500,000
For Potential Relocation of Central	
Office	<u>500,000</u>
Total	\$43,167,600

INFORMATION SERVICE BUREAU

Payable from Title III Social Security
and Employment Service Fund:

For Personal Services	6,832,900
For State Contributions to State	
Employees' Retirement System	1,100,500
For State Contributions to Social	
Security	522,800
For Group Insurance	1,380,000
For Contractual Services	16,728,000

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For Travel	22,800
For Equipment	3,107,800
For Electronic Data Processing	0
For Telecommunications Services	<u>2,107,200</u>
Total	\$31,802,000

Section 20. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Employment Security:

OPERATIONS

Payable from Title III Social Security and Employment Service Fund:

For Personal Services	3,732,900
For State Contributions to State Employees' Retirement System	601,200
For State Contributions to Social Security	285,600
For Group Insurance	828,000
For Contractual Services	7,223,400
For Travel	70,000
For Telecommunications Services	91,200
For Permanent Improvements	85,000
For Refunds	<u>300,000</u>
Total	\$13,217,300

Payable from Title III Social Security and Employment Service Fund:

For the expenses related to the development of Training Programs	100,000
For the expenses related to Employment Security Automation	5,000,000
For expenses related to a Benefit Information System Redefinition	<u>10,000,000</u>
Total	\$15,100,000

Payable from the Unemployment Compensation Special Administration Fund:

For expenses related to Legal Assistance as required by law	2,000,000
For deposit into the Title III Social Security and Employment Service Fund	10,000,000
For Interest on Refunds of Erroneously Paid Contributions, Penalties and Interest	<u>100,000</u>
Total	\$12,100,000

Section 25. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Employment Security:

WORKFORCE DEVELOPMENT

Payable from Title III Social Security and Employment Service Fund:

For Personal Services	50,292,300
For State Contributions to State Employees' Retirement System	8,100,100
For State Contributions to Social Security	3,847,400
For Group Insurance	13,788,000
For Contractual Services	10,079,200
For Travel	925,600
For Telecommunications Services	5,456,600
For Refunds	<u>0</u>
Total	\$92,489,200

Of the sum appropriated above, \$4,888,648 is appropriated pursuant to the provisions

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governing federal fiscal year 2002 found in Sections 903(a), 903(b), and 903(c) of the Federal Social Security Act.

Section 30. The amount of \$1,500,000, or so much thereof as may be necessary, is appropriated from the Title III Social Security and Employment Services Fund to the Department of Employment Security, for all costs, including administrative costs associated with providing community partnerships for enhanced customer service.

Section 35. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Employment Security:

UNEMPLOYMENT INSURANCE REVENUE

Payable from Title III Social Security and
Employment Service Fund:

For Personal Services	21,448,200
For State Contributions to State Employees' Retirement System	3,454,400
For State Contributions to Social Security	1,640,800
For Group Insurance	4,980,000
For Contractual Services	2,926,600
For Travel	200,000
For Telecommunications Services	<u>700,000</u>
Total	\$35,350,000

Section 40. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Employment Security:

OPERATIONS
Grants-In-Aid

Payable from Title III Social Security
and Employment Service Fund:

For Grants	10,000,000
For Tort Claims	<u>715,000</u>
Total	\$10,715,000

Section 45. The amount of \$704,600, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Employment Security for the purpose of making grants to community non-profit agencies or organizations for the operation of a statewide network of outreach services for veterans, as provided for in the Vietnam Veterans' Act.

Section 50. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Employment Security, for unemployment compensation benefits, other than benefits provided for in Section 3, to Former State Employees as follows:

TRUST FUND UNIT
Grants-In-Aid

Payable from the Road Fund:

For benefits paid on the basis of wages paid for insured work for the Department of Transportation	1,900,000
Payable from the Illinois Mathematics and Science Academy Income Fund	16,700
Payable from Title III Social Security and Employment Service Fund	1,734,300
Payable from the General Revenue Fund	<u>20,064,000</u>
Total	\$23,715,000

ARTICLE 24

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to the Environmental Protection Agency:

ADMINISTRATION

For Personal Services	590,900
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	95,200

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For State Contributions to Social Security	45,100
For Contractual Services	9,100
For Travel	6,900
For Commodities	17,600
For Printing	0
For Equipment	2,900
For Telecommunications Services	19,000
For Operation of Auto Equipment	8,400
Total	\$795,100

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, for objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency.

Payable from U.S. Environmental Protection Fund:	
For Contractual Services	1,608,600
Payable from Underground Storage Tank Fund:	
For Contractual Services	221,800
Payable from Solid Waste Management Fund:	
For Contractual Services	243,800
Payable from Subtitle D Management Fund:	
For Contractual Services	88,700
Payable from Clean Air Act Permit Fund:	
For Contractual Services	1,155,800
Payable from Water Revolving Fund:	
For Contractual Services	605,700
Payable from Community Water Supply Laboratory Fund:	
For Contractual Services	108,100
Payable from Used Tire Management Fund:	
For Contractual Services	117,000
Payable from Conservation 2000 Fund:	
For Contractual Services	29,400
Payable from Hazardous Waste Fund:	
For Contractual Services	326,700
Payable from Environmental Protection Permit and Inspection Fund:	
For Contractual Services	406,800
Payable from Vehicle Inspection Fund:	
For Contractual Services	493,500
Payable from the Clean Water Fund:	
For Contractual Services	<u>290,000</u>
Total	\$5,695,900

Section 15. The sum of \$972,300, or so much thereof as may be necessary, is appropriated from the U.S. Environmental Protection Fund to the Environmental Protection Agency for pollution prevention activities.

Section 20. The sum of \$275,000, or so much thereof as may be necessary, is appropriated to the Environmental Protection Agency from the EPA Special States Projects Trust Fund for the purpose of funding the planning, administration, and operation of environmental intern programs to be funded by advance contributions.

Section 25. The sum of \$500,000, or so much thereof as may be necessary, is appropriated from the U.S. Environmental Protection Fund to the Environmental Protection Agency for all costs associated with the development and implementation of Illinois Environmental Facts On-Line.

Section 30. The sum of \$442,900, or so much thereof as may be necessary, is appropriated from the U.S. Environmental Protection Fund to the Environmental Protection Agency for the purpose of administering the toxic and hazardous materials program and the regulatory innovation program.

Section 35. The sum of \$20,000, or so much thereof as may be necessary, is appropriated from the Industrial Hygiene Regulatory and Enforcement Fund to the Environmental Protection

Agency for the purpose of administering the industrial hygiene licensing program.

Section 40. The sum of \$236,200, or so much thereof as may be necessary, is appropriated from the Environmental Protection Permit and Inspection Fund to the Environmental Protection Agency for development of environmental planning activities.

Section 45. The amount of \$4,995,000, or so much thereof as may be necessary, is appropriated from the Environmental Protection Trust Fund to the Environmental Protection Agency for awards and grants as directed by the Environmental Protection Trust Fund Commission.

Section 50. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency.

AIR POLLUTION CONTROL

Payable from U.S. Environmental Protection Fund:

For Personal Services	2,978,700
For Employee Retirement Contributions	
Paid by Employer	89,400
For State Contributions to State Employees' Retirement System	479,800
For State Contributions to Social Security	227,900
For Group Insurance	660,000
For Contractual Services	1,425,700
For Travel	120,800
For Commodities	132,000
For Printing	40,000
For Equipment	600,000
For Telecommunications Services	195,300
For Operation of Auto Equipment	46,800
For Use by the City of Chicago	374,600
For Expenses Related to the Development and Implementation of a Targeted Clean Air Information and Education Program	<u>1,050,000</u>
Total	\$8,421,000

Payable from the Environmental Protection Permit and Inspection Fund for Air Permit and Inspection Activities:

For Personal Services	2,805,000
For Other Expenses	2,065,500
For Refunds	<u>150,000</u>
Total	\$5,020,500

Payable from the Vehicle Inspection Fund:

For Personal Services	4,548,600
For Employee Retirement Contributions	
Paid by Employer	136,500
For State Contributions to State Employees' Retirement System	732,600
For State Contributions to Social Security	400,000
For Group Insurance	1,164,000
For Vehicle Inspections, including prior year costs	51,934,800
For Contractual Services	1,656,300
For Travel	50,000
For Commodities	20,000
For Printing	359,000
For Equipment	100,000
For Telecommunications	125,000
For Operation of Auto Equipment	<u>30,000</u>

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Total	\$61,256,800
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Section 55. The following named amounts, or so much thereof as may be necessary, is appropriated from the Clean Air Act Permit Fund to the Environmental Protection Agency for the purpose of funding Clean Air Act Title V activities in accordance with Clean Air Act Amendments of 1990:

For Personal Services and Other	
Expenses of the Program	13,850,000
For Refunds	<u>150,000</u>
Total	\$14,000,000

Section 60. The sum of \$120,000, or so much thereof as may be necessary, is appropriated from the EPA Special State Projects Trust Fund to the Environmental Protection Agency for the purpose of funding clean air activities.

Section 65. The sum of \$37,100, or so much thereof as may be necessary, is appropriated from the Environmental Protection Trust Fund to the Environmental Protection Agency for the purpose of funding an on-site monitor at the Robbins Resource Recovery Incinerator, Robbins, Illinois.

Section 70. The named amounts, or so much thereof as may be necessary, is appropriated from the Alternate Fuels Fund to the Environmental Protection Agency for the purpose of administering the Alternate Fuels Rebate Program and the Ethanol Fuel Research Program:

For Personal Services and Other	
Expenses	200,000
For Grants and Rebates	<u>2,000,000</u>
Total	\$2,200,000

Section 75. The sum of \$150,000, or so much thereof as may be necessary, is appropriated from the Alternate Compliance Market Account Fund to the Environmental Protection Agency for all costs associated with the emissions reduction market program.

Section 80. The amount of \$5,000,000, or so much thereof as may be necessary, is appropriated from the Special State Projects Trust Fund to the Environmental Protection Agency for all costs associated with the Drive Green Illinois initiative and other clean air public awareness programs.

LABORATORY SERVICES

Section 85. The named amounts, or so much thereof as may be necessary, are appropriated from the Community Water Supply Laboratory Fund to the Environmental Protection Agency for the purpose of performing laboratory testing of samples from community water supplies and for administrative costs of the Agency and the Community Water Supply Testing Council.

For Personal Services and Other	
Expenses of the Program	3,351,400
For Permanent Improvements	<u>7,600</u>
Total	\$3,359,000

Section 90. The sum of \$742,800, or so much thereof as may be necessary, is appropriated from the Environmental Laboratory Certification Fund to the Environmental Protection Agency for the purpose of administering the environmental laboratories certification program.

Section 95. The sum of \$150,000, or so much thereof as may be necessary, is appropriated from the EPA Special State Projects Trust Fund to the Environmental Protection Agency for the purpose of performing laboratory analytical services for government entities.

Section 100. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency:

LAND POLLUTION CONTROL

Payable from U.S. Environmental Protection Fund:

For Personal Services	2,912,800
For Employee Retirement Contributions	
Paid by Employer	87,400
For State Contributions to State Employees' Retirement System	469,200
For State Contributions to	

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Social Security	225,000
For Group Insurance	540,000
For Contractual Services	850,000
For Travel	60,000
For Commodities	70,000
For Printing	60,000
For Equipment	110,000
For Telecommunications Services	230,000
For Operation of Auto Equipment	43,100
For Use by the Office of the Attorney General	25,000
For Underground Storage Tank Program	<u>2,268,500</u>
Total	\$7,951,000

Section 105. The following named sums, or so much thereof as may be necessary, including prior year costs, are appropriated to the Environmental Protection Agency, payable from the U. S. Environmental Protection Fund, for use of remedial, preventive or corrective action in accordance with the Federal Comprehensive Environmental Response Compensation and Liability Act of 1980 as amended:

For Personal Services	2,288,200
For Employee Retirement Contributions Paid by Employer	68,700
For State Contributions to State Employees' Retirement System	368,600
For State Contributions to Social Security	177,000
For Group Insurance	510,000
For Contractual Services	280,000
For Travel	95,000
For Commodities	100,000
For Printing	10,000
For Equipment	181,000
For Telecommunications Services	70,000
For Operation of Auto Equipment	65,000
For Contractual Expenses Related to Remedial, Preventive or Corrective Actions in Accordance with the Federal Comprehensive and Liability Act of 1980, including Costs in Prior Years	<u>9,000,000</u>
Total	\$13,213,500

Section 110. The following named sums, or so much thereof as may be necessary, are appropriated to the Environmental Protection Agency for the purpose of funding the Underground Storage Tank Program.

Payable from the Underground Storage Tank Fund:

For Personal Services	2,515,600
For Employee Retirement Contributions Paid by Employer	75,500
For State Contributions to State Employees' Retirement System	405,200
For State Contributions to Social Security	193,200
For Group Insurance	488,000
For Contractual Services	290,000
For Travel	32,000
For Commodities	15,000
For Equipment	105,000
For Telecommunications Services	25,000
For Operation of Auto Equipment	10,700
For Reimbursements to Eligible Owners/ Operators of Leaking Underground	

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Storage Tanks, including claims submitted in prior years and for costs associated with site remediation	<u>70,000,000</u>
Total	\$74,155,200

Section 115. The following named sums, or so much thereof as may be necessary, are appropriated to the Environmental Protection Agency for use in accordance with Section 22.2 of the Environmental Protection Act:

Payable from the Hazardous Waste Fund:

For Personal Services	328,800
For Employee Retirement Contributions	
Paid by Employer	9,900
For State Contributions to State Employees' Retirement System	53,000
For State Contributions to Social Security	26,000
For Group Insurance	59,000
For Contractual Services	600,000
For Travel	6,000
For Commodities	0
For Printing	0
For Equipment	47,000
For Telecommunications Services	10,000
For Operation of Auto Equipment	21,000
For Personal Services and Other Expenses Related to Removal or Remedial Actions and for Expenses Related to Reviewing the Performance of Response Actions Pursuant to Title XVII of the Environmental Protection Act	4,015,800
For Contractual Services for Site Remediations, including costs in Prior Years	<u>22,000,000</u>
Total	\$27,176,500

Section 120. The following named sums, or so much thereof as may be necessary, are appropriated from the Environmental Protection Permit and Inspection Fund to the Environmental Protection Agency for land permit and inspection activities:

For Personal Services	3,238,000
For Employee Retirement Contributions	
Paid by Employer	97,200
For State Contributions to State Employees' Retirement System	521,600
For State Contributions to Social Security	247,700
For Group Insurance	708,000
For Contractual Services	585,600
For Travel	12,000
For Commodities	39,000
For Printing	34,000
For Equipment	57,500
For Telecommunications Services	21,300
For Operation of Auto Equipment	<u>30,000</u>
Total	\$5,591,900

Section 125. The following named sums, or so much thereof as may be necessary, are appropriated from the Solid Waste Management Fund to the Environmental Protection Agency for use in accordance with Section 22.15 of the Environmental Protection Act:

For Personal Services	4,190,800
For Employee Retirement Contributions	
Paid by Employer	125,800

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For State Contributions to State Employees' Retirement System	675,000
For State Contributions to Social Security	330,000
For Group Insurance	1,025,000
For Contractual Services	193,800
For Travel	80,000
For Commodities	15,000
For Printing	30,000
For Equipment	52,000
For Telecommunications Services	86,000
For Operation of Auto Equipment	24,000
For Refunds	20,000
For financial assistance to units of local government for operations under delegation agreements	<u>750,000</u>
Total	\$7,597,400

Section 130. The following named sums, or so much therefore as may be necessary, are appropriated to the Environmental Protection Agency for conducting a household hazardous waste collection program, including costs from prior years:

Payable from the Solid Waste Management Fund	3,058,000
Payable from the Special State Projects Trust Fund	750,000

Section 135. The following named amounts, or so much thereof as may be necessary, are appropriated from the Used Tire Management Fund to the Environmental Protection Agency for purposes as provided for in Section 55.6 of the Environmental Protection Act.

For Personal Services	1,300,300
For Employee Retirement Contributions	
Paid by Employer	39,100
For State Contributions to State Employees' Retirement System	209,500
For State Contributions to Social Security	99,500
For Group Insurance	312,000
For Contractual Services	2,589,400
For Travel	32,000
For Commodities	15,000
For Printing	2,000
For Equipment	100,000
For Telecommunications Services	14,700
For Operation of Auto Equipment	<u>8,000</u>
Total	\$4,721,500

Section 140. The following named amounts, or so much thereof as may be necessary, are appropriated from the Subtitle D Management Fund to the Environmental Protection Agency for the purpose of funding the Subtitle D permit program in accordance with Section 22.44 of the Environmental Protection Act:

For Personal Services	961,900
For Employee Retirement Contributions	
Paid by Employer	28,900
For State Contributions to State Employees' Retirement System	155,000
For State Contributions to Social Security	74,000
For Group Insurance	198,000
For Contractual Services	227,000
For Travel	27,300
For Commodities	12,000
For Equipment	41,000

For Telecommunications	12,000
For Operation of Auto Equipment	<u>9,000</u>
Total	\$1,746,100

Section 145. The sum of \$500,000, or so much thereof as may be necessary, is appropriated from the Landfill Closure and Post Closure Fund to the Environmental Protection Agency for the purpose of funding closure activities in accordance with Section 22.17 of the Environmental Protection Act.

Section 150. The sum of \$100,000, or so much thereof as may be necessary, is appropriated from the Hazardous Waste Occupational Licensing Fund to the Environmental Protection Agency for expenses related to the licensing of Hazardous Waste Laborers and Crane and Hoisting Equipment Operators, as mandated by Public Act 85-1195.

Section 155. The following named amount, or so much thereof as may be necessary, is appropriated to the Environmental Protection Agency for use in accordance with the Brownfields Redevelopment program:

Payable from the Brownfields Redevelopment Fund:

For Personal Services and Other Expenses of the Program	1,257,400
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Section 160. The sum of \$14,000,000, or so much thereof as may be necessary, is appropriated from the Brownfields Redevelopment Fund to the Environmental Protection Agency for financial assistance for brownfields redevelopment in accordance with 58.3(5), 58.13 and 58.15 of the Environmental Protection Act, including costs in prior years.

Section 165. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency:

BUREAU OF WATER

Payable from U.S. Environmental Protection Fund:

For Personal Services	6,337,400
For Employee Retirement Contributions Paid by Employer	190,200
For State Contributions to State Employees' Retirement System	1,020,800
For State Contributions to Social Security	484,800
For Group Insurance	1,452,000
For Contractual Services	2,337,000
For Travel	113,900
For Commodities	67,600
For Printing	58,200
For Equipment	436,500
For Telecommunications Services	178,600
For Operation of Auto Equipment	61,500
For Use by the Department of Public Health	703,000
For non-point source pollution management and special water pollution studies including costs in prior years	10,950,000
For all costs associated with the Drinking Water Operator Certification Program, including costs in prior years	2,300,000
For Water Quality Planning, including costs in prior years	350,000
For Use by the Department of Agriculture	<u>100,000</u>
Total	\$27,141,500

Section 170. The following named sums, or so much thereof as may be necessary, are appropriated from the Hazardous Waste Fund to the Environmental Protection Agency for use in accordance with Section 22.2 of the Environmental Protection Act:

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For Personal Services	265,400
For Employee Retirement Contributions Paid by Employer	8,000
For State Contribution to State Employees' Retirement System	42,800
For State Contribution to Social Security	20,300
For Group Insurance	60,000
For Contractual Services	29,000
For Travel	6,000
For Commodities	6,000
For Equipment	27,000
For Telecommunications	9,800
For Operation of Automotive Equipment	<u>2,000</u>
Total	\$476,300

Section 175. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Environmental Protection Agency:

Payable from the Environmental Protection Permit
and Inspection Fund:

For Personal Services	1,518,300
For Employee Retirement Contributions Paid by Employer	45,600
For State Contribution to State Employees' Retirement System	244,600
For State Contribution to Social Security	116,100
For Group Insurance	360,000
For Contractual Services	118,500
For Travel	28,200
For Commodities	38,400
For Printing	6,000
For Equipment	95,400
For Telecommunications Services	30,500
For Operation of Automotive Equipment	<u>22,800</u>
Total	\$2,624,400

Section 180. The named amounts, or so much thereof as may be necessary, are appropriated from the Conservation 2000

Fund to the Environmental Protection Agency for the purpose of funding lake management activities required by the Illinois Lake Management Program:

For Personal Services and Other Expenses of the Program	570,600
For Financial Assistance	<u>1,000,000</u>
Total	\$1,570,600

Section 185. The sum of \$3,576,200, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made for such purpose in Article 1, Sections 43 and 44 of Public Act 93-96, is reappropriated from the Conservation 2000 Fund to the Environmental Protection Agency for financial assistance under the Illinois Lake Management Program.

Section 190. The amount of \$6,430,300, or so much thereof as may be necessary, is appropriated from the Clean Water Fund to the Environmental Protection Agency for all costs associated with clean water activities.

Section 191. The amount of \$1,400,000, or so much thereof as may be necessary, is appropriated from the Clean Water Fund to the Environmental Protection Agency for refunds.

Section 195. The following named amounts, or so much thereof as may be necessary, respectively, for the object and purposes hereinafter named, are appropriated to the Environmental Protection Agency:

Payable from the Water Revolving Fund:

For Administrative Costs of

Water Pollution Control	
Revolving Loan Program	2,324,200
For Program Support Costs of Water	
Pollution Control Program	7,040,400
For Administrative Costs of the Drinking	
Water Revolving Loan Program	1,350,200
For Program Support Costs of the Drinking	
Water Program	1,694,700
For Wellhead Protection, capacity	
development and technical assistance	
to public water supplies	<u>1,241,700</u>
Total	\$13,651,200

Section 200. The sum of \$272,000,000, new appropriation, is appropriated, and the sum of \$389,619,100, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made in Article 1, Section 47 of Public Act 93-96, as amended, is reappropriated from the Water Revolving Fund to the Environmental Protection Agency for financial assistance to units of local government for sewer systems and wastewater treatment facilities pursuant to rules defining the Water Pollution Control Revolving Loan program and for transfer of funds to establish reserve accounts, construction accounts or any other necessary funds or accounts in order to implement a leveraged loan program.

Section 205. The sum of \$153,000,000, new appropriation, is appropriated, and the sum of \$188,567,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made in Article 1, Section 48 of Public Act 93-96, as amended, is reappropriated from the Water Revolving Fund to the Environmental Protection Agency for financial assistance to units of local government and privately owned community water supplies for drinking water infrastructure projects pursuant to the Safe Drinking Water Act, as amended, and for transfer of funds to establish reserve accounts, construction accounts or any other necessary funds or accounts in order to implement a leveraged program.

Section 210. The sum of \$750,000, or so much thereof as may be necessary, is appropriated from the Special State Projects Trust Fund to the Environmental Protection Agency for all costs associated with environmental studies and activities.

Section 215. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Environmental Protection Agency for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Pollution Control Board Division.

POLLUTION CONTROL BOARD DIVISION

Payable from Pollution Control Board Fund:

For Contractual Services	12,500
For Printing	0
For Telecommunications Services	4,000
For Refunds	<u>1,000</u>
Total	\$17,500

Payable from the Environmental Protection Permit and Inspection Fund:

For Personal Services	647,400
For Employee Retirement Contributions	
Paid by Employer	19,500
For State Contributions to State Employees'	
Retirement System	104,300
For State Contributions to Social Security	49,600
For Group Insurance	132,000
For Contractual Services	5,900
For Court Reporting Costs	4,000
For Travel	5,000
For Electronic Data Processing	1,000
For Telecommunications Services	<u>7,200</u>
Total	\$975,900

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Payable from the Clean Air Act Permit Fund:	
For Personal Services	689,700
For Employee Retirement Contributions	
Paid by Employer	20,700
For State Contributions to State Employees'	
Retirement System	111,100
For State Contributions to Social Security	52,800
For Group Insurance	168,000
For Contractual Services	<u>10,000</u>
Total	\$1,052,300

Section 220. The amount of \$17,800, or so much thereof as may be necessary, is appropriated from the Used Tire Management Fund to the Environmental Protection Agency for the purposes as provided for in Section 55.6 of the Environmental Protection Act.

ARTICLE 25

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the General Professions Dedicated Fund to the Department of Financial and Professional Regulation:

GENERAL PROFESSIONS

For Personal Services	2,106,600
For Employee Retirement Contributions	
Paid by Employer	63,200
For State Contributions to State	
Employees' Retirement System	339,300
For State Contributions to	
Social Security	161,200
For Group Insurance	528,000
For Contractual Services	102,000
For Travel	85,000
For Refunds	<u>22,500</u>
Total	\$3,407,800

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Illinois State Dental Disciplinary Fund to the Department of Financial and Professional Regulation:

For Personal Services	486,950
For Employee Retirement Contributions	
Paid by Employer	14,600
For State Contributions to State	
Employees' Retirement System	78,400
For State Contributions to	
Social Security	37,300
For Group Insurance	108,000
For Contractual Services	60,500
For Travel	20,000
For Refunds	<u>5,000</u>
Total	\$810,750

Section 15. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Illinois State Medical Disciplinary Fund to the Department of Financial and Professional Regulation:

For Personal Services	2,164,100
For Employee Retirement Contributions	
Paid by Employer	64,900
For State Contributions to State	
Employees' Retirement System	348,600
For State Contributions to	
Social Security	165,600
For Group Insurance	480,000
For Contractual Services	156,000
For Travel	50,000
For Refunds	<u>15,000</u>

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Total	\$3,444,200
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Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Optometric Licensing and Disciplinary Committee Fund to the Department of Financial and Professional Regulation:

For Personal Services	248,650
For Employee Retirement Contributions	
Paid by Employer	7,500
For State Contributions to State Employees' Retirement System	40,100
For State Contributions to Social Security	19,050
For Group Insurance	60,000
For Contractual Services	75,000
For Travel	12,000
For Refunds	<u>2,500</u>
Total	\$464,800

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Design Professionals Administration and Investigation Fund to the Department of Financial and Professional Regulation:

For Personal Services	440,250
For Employee Retirement Contributions	
Paid by Employer	13,200
For State Contributions to State Employees' Retirement System	70,900
For State Contributions to Social Security	33,700
For Group Insurance	132,000
For Contractual Services	140,000
For Travel	60,000
For Refunds	<u>2,500</u>
Total	\$892,550

Section 30. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Illinois State Pharmacy Disciplinary Fund to the Department of Financial and Professional Regulation:

For Personal Services	710,300
For Employee Retirement Contributions	
Paid by Employer	21,300
For State Contributions to State Employees' Retirement System	114,400
For State Contributions to Social Security	54,400
For Group Insurance	120,000
For Contractual Services	116,000
For Travel	30,000
For Refunds	<u>7,500</u>
Total	\$1,173,900

Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Illinois State Podiatric Disciplinary Fund to the Department of Financial and Professional Regulation:

For Contractual Services	5,000
For Travel	5,000
For Refunds	<u>1,000</u>
Total	\$11,000

Section 40. The sum of \$473,600, or so much thereof as may be necessary, is appropriated from the Registered CPA Administration and Disciplinary Fund to the Department of Financial and Professional Regulation for the administration of the Registered CPA Program.

Section 45. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Nursing Dedicated and Professional Fund to the Department of Financial and Professional Regulation:

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For Personal Services	856,000
For Employee Retirement Contributions	
Paid by Employer	25,700
For State Contributions to State	
Employees' Retirement System	137,800
For State Contributions to	
Social Security	65,500
For Group Insurance	216,000
For Contractual Services	181,000
For Travel	25,000
For Refunds	15,000
Total	\$1,522,000

Section 50. The sum of \$80,000, or so much thereof as may be necessary, is appropriated from the Professional Regulation Evidence Fund to the Department of Financial and Professional Regulation for the purchase of evidence and equipment to conduct covert activities.

Section 55. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Professions Indirect Cost Fund to the Department of Financial and Professional Regulation:

For Personal Services	5,800,200
For Employee Retirement Contributions	
Paid by Employer	174,000
For State Contributions to State	
Employees' Retirement System	934,200
For State Contributions to	
Social Security	443,800
For Group Insurance	1,332,000
For Contractual Services	2,099,000
For Travel	75,000
For Commodities	60,000
For Printing	120,000
For Equipment	150,000
For Electronic Data Processing	1,150,000
For Telecommunications Services	450,000
For Operation of Auto Equipment	179,000
Total	\$12,967,200

Section 60. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Financial Institution Fund to the Department of Financial and Professional Regulation:

For Personal Services	1,941,800
For Employee Retirement Contributions	
Paid by Employer	58,200
For State Contributions to the State	
Employees' Retirement System	312,900
For State Contributions to	
Social Security	148,700
For Group Insurance	391,100
For Contractual Services	326,300
For Travel	176,000
For Commodities	29,800
For Printing	14,800
For Equipment	6,400
For Electronic Data Processing	115,100
For Telecommunications Services	71,300
For Operation of Auto Equipment	4,900
For Refunds	3,500
Total	\$3,600,800

Section 65. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Credit Union Fund to the Department of Financial and Professional Regulation:

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CREDIT UNION

Payable from Credit Union Fund:	
For Personal Services	1,932,800
For Employee Retirement Contributions	
Paid by Employer	58,000
For State Contributions to State	
Employees' Retirement System	311,300
For State Contributions to	
Social Security	147,900
For Group Insurance	360,000
For Contractual Services	224,300
For Travel	289,000
For Commodities	17,800
For Printing	4,800
For Equipment	5,800
For Electronic Data Processing	133,800
For Telecommunications Services	64,700
For Operation of Auto Equipment	2,200
For Refunds	<u>1,000</u>
Total	\$3,553,400

Section 70. In addition to the amounts heretofore appropriated, the following named amount, or so much thereof as may be necessary, is appropriated from the TOMA Consumer Protection Fund to the Department of Financial and Professional Regulation:

TOMA CONSUMER PROTECTION

For Refunds	20,000
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Section 75. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Bank and Trust Company Fund to the Department of Financial and Professional Regulation:

DOMESTIC AND FOREIGN COMMERCIAL BANK REGULATION

For Personal Services	9,925,400
For Employee Retirement Contributions	
Paid by Employer	297,800
For State Contribution to State	
Employees' Retirement System	1,598,600
For State Contributions to	
Social Security	759,300
For Group Insurance	1,776,000
For Contractual Services	1,185,750
For Travel	812,700
For Commodities	38,200
For Printing	41,800
For Equipment	71,800
For Electronic Data Processing	732,400
For Telecommunications Services	214,600
For Operation of Auto Equipment	4,200
For Refunds	1,000
For Corporate Fiduciary Receivership	<u>540,000</u>
Total	\$17,999,550

Section 80. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Pawnbroker Regulation Fund to the Department of Financial and Professional Regulation:

PAWNBROKER REGULATION

For Personal Services	71,500
For Employee Retirement Contributions	
Paid by Employer	2,100
For State Contributions to State	
Employees' Retirement System	11,600
For State Contributions to	
Social Security	5,500

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For Group Insurance	12,000
For Contractual Services	11,900
For Travel	7,100
For Commodities	800
For Printing	3,000
For Electronic Data Processing	5,100
For Telecommunications Services	<u>1,800</u>
Total	\$132,400

Section 85. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Savings and Residential Finance Regulatory Fund to the Department of Financial and Professional Regulation:

MORTGAGE BANKING AND THRIFT REGULATION

For Personal Services	2,137,400
For Personal Services:	
Per Diem	1,000
For Employee Retirement Contributions	
Paid by Employer	64,100
For State Contributions to State	
Employees' Retirement System	344,300
For State Contributions to	
Social Security	163,600
For Group Insurance	396,000
For Contractual Services	477,250
For Travel	119,500
For Commodities	19,400
For Printing	42,100
For Equipment	74,400
For Electronic Data Processing	253,400
For Telecommunications Services	42,300
For Operation of Automotive Equipment	2,800
For Refunds	<u>500</u>
Total	\$4,138,050

Section 90. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Real Estate License Administration Fund to the Department of Financial and Professional Regulation:

REAL ESTATE LICENSING AND ENFORCEMENT

For Personal Services	1,817,200
For Personal Services:	
Per Diem	9,000
For Employee Retirement Contributions	
Paid by Employer	54,500
For State Contributions to State	
Employees' Retirement System	292,700
For State Contributions to	
Social Security	139,100
For Group Insurance	348,000
For Contractual Services	491,550
For Travel	91,600
For Commodities	20,100
For Printing	47,400
For Equipment	65,600
For Electronic Data Processing	227,700
For Telecommunications Services	57,800
For Operation of Auto Equipment	7,000
For Refunds	<u>3,000</u>
Total	\$3,672,250

Section 95. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Appraisal Administration Fund to the Department of Financial and Professional Regulation:

APPRAISAL LICENSING

For Personal Services	374,400
For Personal Services:	
Per Diem	3,000
For Employee Retirement Contributions	
Paid by Employer	11,200
For State Contributions to State	
Employees' Retirement System	60,300
For State Contributions to	
Social Security	28,700
For Group Insurance	72,000
For Contractual Services	195,300
For Travel	25,000
For Commodities	5,800
For Printing	8,000
For Equipment	1,800
For Electronic Data Processing	45,800
For Telecommunications Services	9,900
For forwarding real estate appraisal fees	
to the federal government	30,000
For Refunds	<u>3,000</u>
Total	\$874,200

Section 100. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from the Auction Regulation Administration Fund to the Department of Financial and Professional Regulation:

AUCTIONEER REGULATION

For Personal Services	102,200
For Personal Services:	
Per Diem	2,500
For Employee Retirement Contributions	
Paid by Employer	3,100
For State Contributions to State	
Employees' Retirement System	16,400
For State Contributions to	
Social Security	7,800
For Group Insurance	24,000
For Contractual Services	81,600
For Travel	10,000
For Commodities	3,600
For Printing	9,300
For Equipment	7,500
For Electronic Data Processing	24,300
For Telecommunications Services	10,600
For Refunds	<u>4,900</u>
Total	\$307,800

Section 105. The sum of \$70,000, or so much thereof as may be necessary, is appropriated from the Real Estate Research and Education Fund to the Department of Financial and Professional Regulation for research and education in accordance with Section 25-25 of the Real Estate License Act of 2000.

Section 110. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Home Inspector Administration Fund to the Department of Financial and Professional Regulation:

HOME INSPECTOR REGULATION

For Personal Services	136,900
For Personal Services:	
Per Diem	3,000
For Employee Retirement Contributions	
Paid by Employer	4,100
For State Contributions to State	

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Employees' Retirement System	22,100
For State Contributions to Social Security	10,500
For Group Insurance	36,000
For Contractual Services	18,000
For Travel	13,500
For Commodities	1,500
For Equipment	15,000
For Electronic Data Processing	23,900
For Telecommunications Services	3,200
For Refunds	<u>1,000</u>
Total	\$288,700

Section 115. The sum of \$100,000, or so much thereof as may be necessary, is appropriated from the Real Estate Audit Fund to the Department of Financial and Professional Regulation for operating expenses for Real Estate audits.

Section 120. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Insurance Producer Administration Fund to the Department of Financial and Professional Regulation:

PRODUCER ADMINISTRATION

For Personal Services	6,091,200
For Employee Retirement Contributions Paid by Employer	182,700
For State Contributions to the State Employees' Retirement System	981,200
For State Contributions to Social Security	466,100
For Group Insurance	1,614,000
For Contractual Services	1,785,900
For Travel	377,300
For Commodities	57,700
For Printing	94,800
For Equipment	137,700
For Telecommunications Services	219,400
For Operation of Auto Equipment	10,900
For Refunds	<u>225,000</u>
Total	\$12,243,900

Section 125. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Insurance Financial Regulation Fund to the Department of Financial and Professional Regulation:

FINANCIAL REGULATION

For Personal Services	9,146,200
For Employee Retirement Contributions Paid by Employer	274,400
For State Contributions to the State Employees' Retirement System	1,473,200
For State Contributions to Social Security	699,900
For Group Insurance	1,986,000
For Contractual Services	1,920,700
For Travel	731,800
For Commodities	70,100
For Printing	36,500
For Equipment	123,000
For Telecommunications Services	151,500
For Operation of Auto	7,300
For Refunds	<u>100,000</u>
Total	\$16,720,600

Section 130. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of

Financial and Professional Regulation:

PENSION DIVISION

Payable from Public Pension Regulation Fund:

For Personal Services	472,300
For Employee Retirement Contributions	
Paid by Employer	14,200
For State Contributions to the State	
Employees' Retirement System	76,000
For State Contributions to	
Social Security	36,200
For Group Insurance	108,000
For Contractual Services	12,600
For Travel	48,500
For Printing	10,500
For Equipment	15,300
For Telecommunications Services	<u>9,100</u>
Total	\$802,700

Section 135. The following named sum, or so much thereof as may be necessary, is appropriated to the Department of Financial and Professional Regulation for the administration of the Senior Health Insurance Program:

Payable from the Senior Health

Insurance Program Fund	<u>600,000</u>
Total	\$600,000

ARTICLE 26

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

OPERATIONS

GOVERNMENT SERVICES

For Personal Services:

Payable from General Revenue Fund	3,214,000
Payable from Motor Fuel Tax Fund	411,800
Payable from Illinois Tax	
Increment Fund	181,100
Payable from Personal Property Tax	
Replacement Fund	785,800
For Employee Contributions	
Paid by Employer:	
Payable from General Revenue Fund	0
Payable from Motor Fuel Tax Fund	12,400
Payable from Illinois Tax	
Increment Fund	5,400
Payable from Personal Property	
Tax Replacement Fund	23,600
For State Contributions to State	
Employees' Retirement System:	
Payable from General Revenue Fund	517,700
Payable from Motor Fuel Tax Fund	66,300
Payable from Illinois Tax	
Increment Fund	29,200
Payable from Personal Property Tax	
Replacement Fund	126,600
For State Contributions to Social Security:	
Payable from General Revenue Fund	234,300
Payable from Motor Fuel Tax Fund	30,500
Payable from Illinois Tax	
Increment Fund	13,400
Payable from Personal Property Tax	

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Replacement Fund	58,200
For Group Insurance:	
Payable from Motor Fuel Tax Fund	96,000
Payable from Illinois Tax	
Increment Fund	48,000
Payable from Personal Property Tax	
Replacement Fund	216,000
For Contractual Services:	
Payable from General Revenue Fund	152,700
Payable from Motor Fuel Tax Fund	32,600
Payable from Personal Property Tax	
Replacement Fund	10,000
For Travel:	
Payable from General Revenue Fund	42,200
Payable from Motor Fuel Tax Fund	13,400
Payable from Personal Property Tax	
Replacement Fund	16,000
For Commodities:	
Payable from General Revenue Fund	8,600
Payable from Motor Fuel Tax Fund	2,000
Payable from Personal Property Tax	
Replacement Fund	4,600
For Equipment:	
Payable from General Revenue Fund	56,600
Payable from Motor Fuel Tax Fund	37,000
Payable from Child Support	
Administrative Fund	12,300
Payable from Personal Property Tax	
Replacement Fund	22,000
For Electronic Data Processing:	
Payable from General Revenue Fund	1,000
For Administration of the	
Illinois Affordable Housing Act:	
Payable from Illinois Affordable	
Housing Trust Fund	2,400,000
For Transfer from the General Revenue Fund	
into the Senior Citizens Real Estate	
Deferred Tax Revolving Fund	0
Total	\$8,881,300

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

OPERATIONS
TAX ENFORCEMENT

For Personal Services:	
Payable from General Revenue Fund	37,669,200
Payable from Motor Fuel Tax Fund	6,675,950
Payable from Underground	
Storage Tank Fund	158,400
Payable from Illinois Gaming	
Law Enforcement Fund	720,100
Payable from Home Rule Municipal	
Retailers Occupation Tax Fund	150,000
Payable from County Option Motor	
Fuel Tax Fund	88,200
Payable from Child Support	
Administrative Fund	1,299,400
Payable from Personal Property Tax	
Replacement Fund	973,000

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For Employee Contributions	
Paid by Employer:	
Payable from General Revenue Fund	0
Payable from Motor Fuel Tax Fund	200,300
Payable from Underground	
Storage Tank Fund	4,800
Payable from Illinois Gaming	
Law Enforcement Fund	21,600
Payable from Home Rule Municipal	
Retailers Occupation Tax Fund	4,500
Payable from County Option	
Motor Fuel Tax Fund	2,700
Payable from Child Support	
Administrative Fund	39,000
Payable from Personal Property	
Tax Replacement Fund	29,200
For State Contributions to State	
Employees' Retirement System:	
Payable from General Revenue Fund	6,067,000
Payable from Motor Fuel Tax Fund	1,075,200
Payable from Underground	
Storage Tank Fund	25,500
Payable from Illinois Gaming	
Law Enforcement Fund	116,000
Payable from Home Rule Municipal	
Retailers Occupation Tax Fund	24,200
Payable from County Option Motor	
Fuel Tax Fund	14,200
Payable from Child Support	
Administrative Fund	209,300
Payable from Personal Property Tax	
Replacement Fund	156,700
For State Contributions to Social Security:	
Payable from General Revenue Fund	2,674,600
Payable from Motor Fuel Tax Fund	492,150
Payable from Underground	
Storage Tank Fund	11,900
Payable from Illinois Gaming	
Law Enforcement Fund	43,200
Payable from Home Rule Municipal	
Retailers Occupation Tax Fund	11,300
Payable from County Option Motor	
Fuel Tax Fund	6,600
Payable from Child Support	
Administrative Fund	97,500
Payable from Personal Property Tax	
Replacement Fund	73,000
For Group Insurance:	
Payable from Motor Fuel Tax Fund	1,380,000
Payable from Underground	
Storage Tank Fund	36,000
Payable from Illinois Gaming	
Law Enforcement Fund	180,000
Payable from Home Rule Municipal	
Retailers Occupation Tax Fund	36,000
Payable from County Option Motor	
Fuel Tax Fund	24,000
Payable from Child Support	
Administrative Fund	360,000

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Payable from Personal Property Tax Replacement Fund	276,000
For Contractual Services:	
Payable from General Revenue Fund	625,800
Payable from Motor Fuel Tax Fund	97,300
Payable from Illinois Gaming	
Law Enforcement Fund	4,300
Payable from Personnel Property Tax Replacement Fund	100,000
For Travel:	
Payable from General Revenue Fund	816,600
Payable from Motor Fuel Tax Fund	915,400
Payable from Underground	
Storage Tank Fund	14,500
Payable from Illinois Gaming	
Law Enforcement Fund	26,400
Payable from Home Rule Municipal Retailers Occupation Tax Fund	27,500
Payable from County Option Motor Fuel Tax Fund	14,600
Payable from Personal Property Tax Replacement Fund	131,500
For Commodities:	
Payable from General Revenue Fund	6,400
Payable from Motor Fuel Tax Fund	1,800
Payable from Underground	
Storage Tank Fund	800
Payable from Illinois Gaming	
Law Enforcement Fund	2,900
Payable from Personal Property Tax Replacement Fund	900
For Electronic Data Processing:	
Payable from General Revenue Fund	2,200
Payable from Motor Fuel Tax Fund	3,400
Payable from Illinois Gaming	
Law Enforcement Fund	4,100
Payable from Personal Property Tax Replacement Fund	1,000
For Administrative Costs of Joint State/Federal Motor Fuel Tax Enforcement Program:	
Payable from Motor Fuel Tax Fund	71,000
For Administration of the Dyed Diesel Fuel Roadside Enforcement Plan per PA 91-173, Including prior year costs:	
Payable from Tax Compliance And Administration Fund	<u>29,600</u>
Total	\$64,324,700

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

OPERATIONS
TAX OPERATIONS

For Personal Services:	
Payable from General Revenue Fund	34,691,500
Payable from Motor Fuel Tax Fund	5,093,100
Payable from Underground	
Storage Tank Fund	334,800

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Payable from Illinois Gaming Law Enforcement Fund	50,300
Payable from County Option Motor Fuel Tax Fund	241,500
Payable from Tax Compliance and Administration Fund	314,500
Payable from Personal Property Tax Replacement Fund	3,169,800
For Employee Contributions Paid by Employer:	
Payable from General Revenue Fund	0
Payable from Motor Fuel Tax Fund	152,800
Payable from Underground Storage Tank Fund	10,100
Payable from Illinois Gaming Law Enforcement Fund	1,500
Payable from County Option Motor Fuel Tax Fund	7,300
Payable from Tax Compliance And Administration Fund	9,400
Payable from Personal Property Tax Replacement Fund	95,100
For Extra Help: Payable from General Revenue Fund	78,700
For State Contributions to State Employees' Retirement System:	
Payable from General Revenue Fund	5,600,100
Payable from Motor Fuel Tax Fund	820,300
Payable from Underground Storage Tank Fund	53,900
Payable from Illinois Gaming Law Enforcement Fund	8,100
Payable from County Option Motor Fuel Tax Fund	38,900
Payable from Tax Compliance and Administration Fund	50,700
Payable from Personal Property Tax Replacement Fund	510,500
For State Contributions to Social Security:	
Payable from General Revenue Fund	2,572,000
Payable from Motor Fuel Tax Fund	376,800
Payable from Underground Storage Tank Fund	25,000
Payable from Illinois Gaming Law Enforcement Fund	3,800
Payable from County Option Motor Fuel Tax Fund	18,100
Payable from Tax Compliance and Administration Fund	23,400
Payable from Personal Property Tax Replacement Fund	236,200
For Group Insurance:	
Payable from Motor Fuel Tax Fund	1,140,000
Payable from Underground Storage Tank Fund	108,000
Payable from Illinois Gaming Law Enforcement Fund	12,000
Payable from County Option Motor Fuel Tax Fund	84,000
Payable from Tax Compliance and Administration Fund	84,000

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Payable from Personal Property Tax Replacement Fund	972,000
For Contractual Services:	
Payable from General Revenue Fund	5,421,600
Payable from Motor Fuel Tax Fund	919,200
Payable from Personal Property Tax Replacement Fund	54,100
For Travel:	
Payable from General Revenue Fund	117,400
Payable from Motor Fuel Tax Fund	11,300
Payable from Personal Property Tax Replacement Fund	3,800
For Commodities:	
Payable from General Revenue Fund	438,900
Payable from Motor Fuel Tax Fund	59,600
Payable from Underground Storage Tank Fund	1,300
Payable from County Option Motor Fuel Tax Fund	2,400
Payable from Personal Property Tax Replacement Fund	48,000
For Printing:	
Payable from General Revenue Fund	934,100
Payable from Motor Fuel Tax Fund	151,800
Payable from Underground Storage Tank Fund	1,500
Payable from Illinois Gaming Law Enforcement Fund	4,500
Payable from Personal Property Tax Replacement Fund	84,600
For Electronic Data Processing:	
Payable from General Revenue Fund	3,490,900
Payable from Motor Fuel Tax Fund	1,723,200
Payable from Transportation Regulatory Fund	1,000
Payable from Underground Storage Tank Fund	6,800
Payable from Illinois Gaming Law Enforcement Fund	150,100
Payable from Home Rule Municipal Retailers Occupation Tax Fund	140,300
Payable from County Option Motor Fuel Tax Fund	29,700
Payable from Illinois Tax Increment Fund	265,200
Payable from Tax Compliance and Administration Fund	106,600
Payable from Child Support Administrative Fund	6,800
Payable from Personal Property Tax Replacement Fund	530,500
For Telecommunications Services:	
Payable from General Revenue Fund	1,841,600
Payable from Motor Fuel Tax Fund	91,700
Payable from Underground Storage Tank Fund	10,300
Payable from Illinois Gaming Law Enforcement Fund	10,500
Payable from Home Rule Municipal Retailers Occupation Tax Fund	3,700
Payable from County Option Motor Fuel Tax Fund	13,800

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Payable from Illinois Tax Increment Fund	16,400
Payable from Tax Compliance and Administration Fund	5,700
Payable from Child Support Administrative Fund 15,600	
Payable from Personal Property Tax Replacement Fund	18,300
For Operation of Auto Equipment:	
Payable from General Revenue Fund	24,900
Payable from Motor Fuel Tax Fund	20,000
Payable from Illinois Gaming Law Enforcement Fund	19,500
Payable from Personal Property Tax Replacement Fund	16,000
For Administration of the Illinois Petroleum Education and Marketing Act:	
Payable from the Tax Compliance and Administration Fund	9,000
For Administration of the Dry Cleaners Environmental Response Trust Fund Act:	
Payable from the Tax Compliance and Administration Fund	49,900
For Administration of the Simplified Telecommunications Act:	
Payable from the Tax Compliance and Administration Fund	1,299,800
For deposit into the General Obligation Bond Retirement and Interest Fund for costs associated with the debt service payments of rolling stock and capital equipment:	
Payable from the General Revenue Fund	0
Total	\$75,160,100

GOVERNMENT SERVICES GRANTS

Section 20. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Revenue as follows:

Payable from General Revenue Fund:

For the State's Share of County Supervisors of Assessments' or County Assessors' salaries, as provided by law	2,384,000
For additional compensation for local assessors, as provided by Sections 2.3 and 2.6 of the "Revenue Act of 1939", as amended	600,000
For additional compensation for local assessors, as provided by Section 2.7 of the "Revenue Act of 1939", as amended	843,600
For additional compensation for county treasurers, pursuant to Public Act 84-1432, as amended	663,000
For the State's Share of State's Attorneys' And Assistant State's Attorneys' salaries, Including prior years costs	11,165,000
For the annual stipend for Sheriffs as Provided in subsection (d) of Section 4-6300 and Section 4-8002 of the Counties Code	663,000
For the annual stipend to county Coroners pursuant to 55 ILCS 5/4-6002	

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Including prior years costs	<u>663,000</u>
Total	\$16,981,600
Payable from State and Local Sales Tax Reform Fund:	
For Allocation to Chicago for additional 1.25% Use Tax Pursuant to P.A. 86-0928	39,733,400
Payable from Local Government Distributive Fund:	
For Allocation to Local Governments of additional 1.25% Use Tax Pursuant to P.A. 86-0928	100,074,700
Payable from R.T.A. Occupation and Use Tax Replacement Fund:	
For Allocation to RTA for 10% of the 1.25% Use Tax Pursuant to P.A. 86-0928	19,866,600
Payable from Senior Citizens' Real Estate Deferred Tax Revolving Fund:	
For Payments to Counties as Required by the Senior Citizens Real Estate Tax Deferral Act	5,500,000
Payable from Illinois Tax Increment Fund:	
For Distribution to Local Tax Increment Finance Districts	18,629,900

TAX ENFORCEMENT GRANTS

Section 25. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Revenue for the purposes as follows:

Payable from the Illinois Gaming Law Enforcement Fund:	
For a Grant for Allocation to Local Law Enforcement Agencies for joint state and local efforts in Administration of the Charitable Games, Pull Tabs and Jar Games Act	1,400,000

TAX OPERATIONS GRANTS

Section 30. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Revenue for:

Payable from the Motor Fuel Tax Fund: For Reimbursement to International Fuel Tax Agreement Member States	42,633,700
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TAX OPERATIONS REFUNDS

For Refunds and Repayment to persons as provided by law:	
Payable from Motor Fuel Tax Fund	16,793,000
For Refund of certain taxes in lieu of credit memoranda, where such refunds are authorized by law:	
Payable from General Revenue Fund	8,876,500
For Refunds provided for in Section 13a.8 of the Motor Fuel Tax Act:	
Payable from the Underground Storage Tank Fund	98,000
For Refunds associated with the Simplified Municipal Telecommunications Act:	
Payable from the Municipal Telecommunications Fund	98,000

GOVERNMENT SERVICE GRANTS

[July 24, 2004]

Section 35. The sum of \$50,350,000 is appropriated from the Illinois Affordable Housing Trust Fund to the Department of Revenue for Grants, (down payment assistance, rental subsidies, security deposit subsidies, technical assistance, outreach, building an organization's capacity to develop affordable housing projects and other related purposes), mortgages, loans, or for the purpose of securing bonds pursuant to the Illinois Affordable Housing Act, administered by the Illinois Housing Development Authority.

Section 40. The sum of \$16,905,200, new appropriation, is appropriated and the sum of \$28,144,900, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made in Article 5, Section 40 of Public Act 93-0091 is reappropriated from the Federal HOME Investment Trust Fund to the Department of Revenue for the Illinois HOME Investment Partnerships Program administered by the Illinois Housing Development Authority.

ILLINOIS GAMING BOARD

Section 45. The sum of \$110,000,000, or so much thereof as may be necessary, is appropriated from the State Gaming Fund to the Department of Revenue for distributions to local governments for admissions and wagering tax.

Section 50. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Revenue for the ordinary and contingent expenses of the Illinois Gaming Board:

Payable from State Gaming Fund:	
For Personal Services	4,935,000
For Employee Retirement Contributions Paid by Employer	148,100
For State Contributions to the State Employees' Retirement System	794,800
For State Contributions to Social Security	223,650
For Group Insurance	923,000
For Contractual Services	6,934,400
For Travel	94,900
For Commodities	23,000
For Printing	6,500
For Equipment	50,000
For Electronic Data Processing	88,900
For Telecommunications	424,400
For Operation of Auto Equipment	<u>74,200</u>
Total	\$14,720,850

REFUNDS

Section 55. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Revenue for:

ILLINOIS GAMING BOARD

Payable from State Gaming Fund:	
For Refunds	50,000

LIQUOR CONTROL

Section 60. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Dram Shop Fund to the Department of Revenue:

For Personal Services	2,153,500
For Employee Retirement Contributions Paid by Employer	64,600
For State Contributions to State Employees' Retirement System	346,800
For State Contributions to Social Security	159,400
For Group Insurance	528,000
For Contractual Services	210,200
For Travel	113,000

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For Commodities	16,000
For Printing	6,000
For Equipment	159,600
For Electronic Data Processing	48,900
For Telecommunications Services	54,000
For Operation of Automotive Equipment	53,000
For Refunds	<u>10,000</u>
Total	\$3,923,000

Section 65. The amount of \$279,600, or so much thereof as may be necessary, is appropriated from the Dram Shop Fund to the Department of Revenue to conduct a study to determine the extent of enforcement of laws relating to access by minors to tobacco products.

Section 70. The sum of \$164,500, or so much thereof as may be necessary, is appropriated from the Tobacco Settlement Recovery Fund to the Department of Revenue for the purpose of operating the local government tobacco enforcement grant program.

Section 75. The sum of \$1,000,000, or so much thereof as may be necessary, is appropriated from the Tobacco Settlement Recovery Fund to the Department of Revenue for grants to local governmental units to establish enforcement programs that will reduce youth access to tobacco products.

Section 80. The sum of \$195,600, or so much thereof as may be necessary, respectively, are appropriated for the Retailer Education Program from the Dram Shop Fund to the Department of Revenue.

Section 85. The sum of \$268,200, or so much thereof as may be necessary, is appropriated from the Dram Shop Fund to the Department of Revenue for the purpose of operating the Beverage Alcohol Sellers and Servers Education and Training (BASSET) Program.

LOTTERY

Section 90. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the State Lottery Fund to meet the ordinary and contingent expenses of the Department of Revenue for Lottery, including operating expenses related to Multi-State Lottery games pursuant to the Illinois Lottery Law:

OPERATIONS

Payable from State Lottery Fund:	
For Personal Services	7,755,100
For Employee Retirement Contributions	
Paid by Employer	232,700
For State Contributions for the State	
Employees' Retirement System	1,249,000
For State Contributions to	
Social Security	577,700
For Group Insurance	2,073,600
For Contractual Services	26,193,100
For Travel	110,400
For Commodities	61,400
For Printing	30,700
For Equipment	177,000
For Electronic Data Processing	3,480,000
For Telecommunications Services	9,735,600
For Operation of Auto Equipment	264,600
For Expenses of Developing and	
Promoting Lottery Games	11,276,900
For Expenses of the Lottery Board	8,300
For Refunds	<u>48,000</u>
Total	\$63,274,100

Section 95. The sum of \$256,050,000, or so much thereof as may be necessary, is appropriated from the State Lottery Fund to the Department of the Revenue for Lottery, for payment of prizes to holders of winning lottery tickets or shares, including prizes related to Multi-State Lottery games, and payment of promotional or incentive prizes associated with the sale of

lottery tickets, pursuant to the provisions of the "Illinois Lottery Law".

Section 100. The sum of \$33,600, or so much thereof as may be necessary, is appropriated from the State Lottery Fund to the Illinois Department of the Revenue for Lottery, for payment to the Illinois State Police for investigatory services.

RACING

Section 105. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Horse Racing Fund to the Department of Revenue for the ordinary and contingent expenses of the Illinois Racing Board:

OPERATIONS	
GENERAL OFFICE	
For Personal Services	928,500
For Employee Retirement Contributions	
Paid by Employer	27,900
For State Contributions to State	
Employees' Retirement System	149,500
For State Contributions to	
Social Security	68,700
For Group Insurance	204,000
For Contractual Services	85,500
For Contractual Services:	
Hearing Officers	11,100
For Travel	31,100
For Commodities	7,700
For Printing	10,800
For Equipment	1,700
For Electronic Data Processing	142,800
For Telecommunications Services	94,300
For Operation of Auto Equipment	21,500
For Expenses related to the Laboratory	
Program	1,817,800
For Expenses related to the Regulation	
Of Racing Program	3,702,700
For Refunds	<u>300</u>
Total	\$7,305,900

ARTICLE 27

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Property Tax Appeal Board:

Payable from the General Revenue Fund:

For Personal Services	1,227,500
For Employee Contributions Paid	
By Employer	0
For State Contributions to State	
Employees' Retirement System	197,700
For State Contributions to	
Social Security	93,900
For Contractual Services	42,200
For Travel	33,600
For Commodities	9,600
For Printing	5,800
For Equipment	4,600
For Electronic Data Processing	43,200
For Telecommunication Services	43,200
For Operation of Auto Equipment	13,400
For Refunds	200
For Costs Associated with the Appeal	

[July 24, 2004]

Process and the Reestablishment of a
Cook County Office
Total

600,000
\$2,314,900

ARTICLE 28

CONSERVATION 2000 PROGRAM

Section 5. The sum of \$4,542,100, new appropriation, is appropriated, and the sum of \$4,385,306, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made in Article 1, Section 10 of Public Act 93-97, as amended, are reappropriated from the Conservation 2000 Fund to the Department of Natural Resources for the Conservation 2000 Program to implement ecosystem-based management for Illinois' natural resources.

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

GENERAL OFFICE

For Personal Services:

Payable from General Revenue Fund	6,903,300
Payable from State Boating Act Fund	584,200
Payable from Wildlife and Fish Fund	1,326,300

For Employee Retirement Contributions

Paid by State:

Payable from General Revenue Fund	0
Payable from State Boating Act Fund	17,500
Payable from Wildlife and Fish Fund	39,800

For State Contributions to State

Employees' Retirement System:

Payable from General Revenue Fund	1,111,800
Payable from State Boating Act Fund	94,100
Payable from Wildlife and Fish Fund	213,600

For State Contributions to Social Security:

Payable from General Revenue Fund	528,100
Payable from State Boating Act Fund	44,700
Payable from Wildlife and Fish Fund	101,500

For Group Insurance:

Payable from State Boating Act Fund	136,100
Payable from Wildlife and Fish Fund	292,600

For Contractual Services:

Payable from General Revenue Fund	1,796,700
Payable from State Boating Act Fund	276,000
Payable from Wildlife and Fish Fund	1,104,100

For Travel:

Payable from General Revenue Fund	117,600
Payable from Wildlife and Fish Fund	9,800

For Commodities:

Payable from General Revenue Fund	64,500
Payable from Wildlife and Fish Fund	60,100

For Printing:

Payable from General Revenue Fund	79,700
Payable from State Boating Act Fund	163,400
Payable from Wildlife and Fish Fund	285,600

For Equipment:

Payable from General Revenue Fund	5,100
Payable from Wildlife and Fish Fund	124,300

For Electronic Data Processing:

Payable from General Revenue Fund	164,200
Payable from State Boating Act Fund	84,500
Payable from Wildlife and Fish Fund	99,400

For Telecommunications Services:

Payable from General Revenue Fund	251,800
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Payable from Wildlife and Fish Fund	79,200
For Operation of Auto Equipment:	
Payable from General Revenue Fund	42,500
Payable from Wildlife and Fish Fund	22,900
For expenses incurred in acquiring salmon stamp designs and printing salmon stamps:	
Payable from Salmon Fund	10,000
For the purpose of publishing and distributing a bulletin or magazine and for purchasing, marketing and distributing conservation related products for resale, and refunds for such purposes:	
Payable from Wildlife and Fish Fund	480,500
For expenses incurred in producing and distributing site brochures, public information literature and other printed materials from revenues received from the sale of advertising:	
Payable from State Boating Act Fund	25,000
Payable from State Parks Fund	50,000
Payable from Wildlife and Fish Fund	50,000
For the coordination of public events and promotions from activity fees, donations and vendor revenue:	
Payable from State Parks Fund	47,100
Payable from Wildlife and Fish Fund	47,100
For deposit into the General Obligation Bond Retirement and Interest Fund for costs associated with the debt service payments of rolling stock and capital equipment	
Payable from the General Revenue Fund	0
For the purpose of remitting funds collected from the sale of Federal Duck Stamps to the U.S. Fish and Wildlife Service:	
Payable from Wildlife and Fish Fund	23,600
For expenses of the OSLAD Program:	
Payable from Open Space Lands Acquisition and Development Fund	1,054,800
For furniture, fixtures, equipment, displays, telecommunications, cabling, network hardware, software, relays and switches and related expenses for new DNR Headquarters:	
Payable from the General Revenue Fund	1,128,000
For expenses of the Natural Areas Acquisition Program:	
Payable from the Natural Areas Acquisition Fund	148,300
For expenses of the Park and Conservation program:	
Payable from Park and Conservation Fund	4,163,800
For expenses of the Bikeways Program:	
Payable from Park and Conservation Fund	416,700
For Natural Resources Trustee Program:	
Payable from Natural Resources	

[July 24, 2004]

Restoration Trust Fund	<u>377,700</u>
Total	\$24,247,600

ILLINOIS RIVER INITIATIVES

Section 15. The sum of \$0, new appropriation, is appropriated, and the sum of \$4,785,500, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made in Article 1, Sections 30 and 35 of Public Act 93-97, as amended, are reappropriated from the General Revenue Fund to the Department of Natural Resources for the non-federal cost share of a Conservation Reserve Enhancement Program to establish long-term contracts and permanent conservation easements in the Illinois River Basin; to fund cost-share assistance to landowners to encourage approved conservation practices in environmentally sensitive and highly erodible areas of the Illinois River Basin; and to fund the monitoring of long term improvements of these conservation practices as required in the Memorandum of Agreement between the State of Illinois and the United States Department of Agriculture.

Section 20. The sum of \$250,000, new appropriation, is appropriated and the sum of \$172,835, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made in Article 1, Sections 30 and 35 of Public Act 93-97, as amended, are reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for the non-federal cost share of a Conservation Reserve Enhancement Program to establish long-term contracts and permanent conservation easements in the Illinois River Basin; to fund cost share assistance to landowners to encourage approved conservation practices in environmentally sensitive and highly erodible areas of the Illinois River Basin; and to fund the monitoring of long-term improvements of these conservation practices as required in the Memorandum of Agreement between the State of Illinois and the United States Department of Agriculture.

Section 25. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

OFFICE OF RESOURCE CONSERVATION

For Personal Services:

Payable from General Revenue Fund	3,972,100
Payable from Wildlife and Fish Fund	8,116,900
Payable from Salmon Fund	171,800
Payable from Natural Areas Acquisition Fund	1,426,000

For Employee Retirement Contributions

Paid by State:

Payable from General Revenue Fund	0
Payable from Wildlife and Fish Fund	243,500
Payable from Salmon Fund	5,200
Payable from Natural Areas Acquisition Fund	42,800

For State Contributions to State

Employees' Retirement System:

Payable from General Revenue Fund	639,700
Payable from Wildlife and Fish Fund	1,307,300
Payable from Salmon Fund	27,700
Payable from Natural Areas Acquisition Fund	229,700

For State Contributions to Social Security:

Payable from General Revenue Fund	303,800
Payable from Wildlife and Fish Fund	620,900
Payable from Salmon Fund	13,100
Payable from Natural Areas Acquisition Fund	109,100

For Group Insurance:

Payable from Wildlife and Fish Fund	1,594,000
Payable from Salmon Fund	38,700
Payable from Natural Areas Acquisition	

[July 24, 2004]

Fund	329,500	
For Contractual Services:		
Payable from General Revenue Fund		776,100
Payable from Wildlife and Fish Fund		2,156,100
Payable from Salmon Fund		2,900
Payable from Natural Areas Acquisition Fund	82,500	
Payable from Natural Heritage Fund		59,200
For Travel:		
Payable from General Revenue Fund		31,200
Payable from Wildlife and Fish Fund		151,000
Payable from Natural Areas Acquisition Fund	32,200	
For Commodities:		
Payable from General Revenue Fund		209,900
Payable from Wildlife and Fish Fund		1,253,600
Payable from Natural Areas Acquisition Fund	40,200	
Payable from the Natural Heritage Fund		16,000
For Printing:		
Payable from General Revenue Fund		17,700
Payable from Wildlife and Fish Fund		218,700
Payable from Natural Areas Acquisition Fund	11,600	
For Equipment:		
Payable from General Revenue Fund		9,000
Payable from Wildlife and Fish Fund		299,600
Payable from Natural Areas Acquisition Fund	114,000	
Payable from Illinois Forestry Development Fund		121,800
For Telecommunications Services:		
Payable from General Revenue Fund		74,100
Payable from Wildlife and Fish Fund		203,800
Payable from Natural Areas Acquisition Fund	34,200	
For Operation of Auto Equipment:		
Payable from General Revenue Fund		69,800
Payable from Wildlife and Fish Fund		337,000
Payable from Natural Areas Acquisition Fund	57,700	
For the Purposes of the "Illinois Non-Game Wildlife Protection Act":		
Payable from Illinois Wildlife Preservation Fund		500,000
For programs beneficial to advancing forests and forestry in this State as provided for in Section 7 of the "Illinois Forestry Development Act", as now or hereafter amended:		
Payable from Illinois Forestry Development Fund		1,027,500
For Administration of the "Illinois Natural Areas Preservation Act":		
Payable from Natural Areas Acquisition Fund		1,216,400
For payment of the expenses of the Illinois Forestry Development Council:		
Payable from Illinois Forestry Development		

[July 24, 2004]

Fund	118,500
For an Urban Fishing Program in conjunction with the Chicago Park District to provide fishing and resource management at the park district lagoons:	
Payable from Wildlife and Fish Fund	225,100
For costs associated with the Rend Lake Water Supply Study:	
Payable from Wildlife and Fish Fund	525,000
For workshops, training and other activities to improve the administration of fish and wildlife federal aid programs from federal aid administrative grants received for such purposes:	
Payable from Wildlife and Fish Fund	11,400
For expenses of the Natural Areas Stewardship Program:	
Payable from Natural Areas Acquisition Fund	1,110,300
For expenses of the Urban Forestry Program:	
Payable from Illinois Forestry Development Fund	313,600
For expenses associated with the Inner City Urban Revitalization program:	
Payable from the Illinois Forestry Development Fund	240,900
For deposit into the General Obligation Bond Retirement and Interest Fund to retire bonds sold for the Conservation Reserve Enhancement Program:	
Payable from General Revenue Fund	<u>0</u>
Total	\$30,860,300
Section 30. The sum of \$757,182, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 45 of Public Act 93-97, as amended, is reappropriated from the Illinois Wildlife Preservation Fund to the Department of Natural Resources for purposes associated with the "Illinois Non-Game Wildlife Protection Act."	
Section 35. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:	
OFFICE OF LAW ENFORCEMENT	
For Personal Services:	
Payable from General Revenue Fund	5,083,400
Payable from State Boating Act Fund	2,053,600
Payable from State Parks Fund	663,200
Payable from Wildlife and Fish Fund	3,355,600
For Employee Retirement Contributions Paid by State:	
Payable from General Revenue Fund	0
Payable from State Boating Act Fund	61,600
Payable from State Parks Fund	19,900
Payable from Wildlife and Fish Fund	100,700
For State Contributions to State Employees' Retirement System:	
Payable from General Revenue Fund	818,700
Payable from State Boating Act Fund	330,800
Payable from State Parks Fund	106,800
Payable from Wildlife and Fish Fund	540,500

[July 24, 2004]

For State Contributions to Social Security:	
Payable from General Revenue Fund	102,400
Payable from State Boating Act Fund	25,400
Payable from State Parks Fund	9,800
Payable from Wildlife and Fish Fund	29,600
For Group Insurance:	
Payable from State Boating Act Fund	304,000
Payable from State Parks Fund	107,300
Payable from Wildlife and Fish Fund	537,300
For Contractual Services:	
Payable from General Revenue Fund	152,600
Payable from State Boating Act Fund	76,100
Payable from Wildlife and Fish Fund	159,900
For Travel:	
Payable from General Revenue Fund	80,300
Payable from Wildlife and Fish Fund	59,400
For Commodities:	
Payable from General Revenue Fund	103,800
Payable from State Boating Act Fund	14,400
Payable from Wildlife and Fish Fund	44,200
For Printing:	
Payable from General Revenue Fund	20,100
Payable from Wildlife and Fish Fund	5,800
For Equipment:	
Payable from General Revenue Fund	18,300
Payable from State Boating Act Fund	112,800
Payable from State Parks Fund	122,200
Payable from Wildlife and Fish Fund	218,300
For Telecommunications Services:	
Payable from General Revenue Fund	319,700
Payable from State Boating Act Fund	142,900
Payable from Wildlife and Fish Fund	197,000
For Operation of Auto Equipment:	
Payable from General Revenue Fund	172,900
Payable from State Boating Act Fund	178,700
Payable from Wildlife and Fish Fund	181,300
For Snowmobile Programs:	
Payable from State Boating Act Fund	32,900
For Payment of Timber Buyers bond forfeitures:	
Payable from Illinois Forestry Development Fund:	25,000
For use in enforcing laws regulating controlled substances and cannabis on Department of Natural Resources regulated lands and waterways to the extent funds are received by the Department:	
Payable from the Drug Traffic Prevention Fund	25,000
For use in alcohol related enforcement efforts and training to the extent funds are available to the Department:	
Payable from the General Revenue Fund	14,400
Payable from State Boating Fund	20,000
Total	\$16,774,500

Section 40. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

OFFICE OF LAND MANAGEMENT AND EDUCATION

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For Personal Services:	
Payable from General Revenue Fund	18,548,800
Payable from State Boating Act Fund	1,492,900
Payable from State Parks Fund	1,132,000
Payable from Wildlife and Fish Fund	1,940,500
For Employee Retirement Contributions	
Paid by State:	
Payable from General Revenue Fund	0
Payable from State Boating Act Fund	44,800
Payable from State Parks Fund	34,000
Payable from Wildlife and Fish Fund	58,200
For State Contributions to State	
Employee's Retirement System:	
Payable from General Revenue Fund	2,987,500
Payable from State Boating Act Fund	240,400
Payable from State Parks Fund	182,300
Payable from Wildlife and Fish Fund	312,500
For State Contributions to Social Security:	
Payable from General Revenue Fund	1,419,000
Payable from State Boating Act Fund	114,200
Payable from State Parks Fund	86,600
Payable from Wildlife and Fish Fund	148,400
For Group Insurance:	
Payable from State Boating Act Fund	368,800
Payable from State Parks Fund	297,700
Payable from Wildlife and Fish Fund	444,600
For Contractual Services:	
Payable from General Revenue Fund	2,423,900
Payable from State Boating Act Fund	436,200
Payable from State Parks Fund	2,616,500
Payable from Wildlife and Fish Fund	293,700
For Travel:	
Payable from General Revenue Fund	8,700
Payable from State Boating Act Fund	5,900
Payable from State Parks Fund	49,700
Payable from Wildlife and Fish Fund	14,700
For Commodities:	
Payable from General Revenue Fund	866,800
Payable from State Boating Act Fund	51,000
Payable from State Parks Fund	443,400
Payable from Wildlife and Fish Fund	246,700
For Printing:	
Payable from General Revenue Fund	14,600
For Equipment:	
Payable from General Revenue Fund	53,100
Payable from State Parks Fund	711,800
Payable from Wildlife and Fish Fund	287,300
For Telecommunications Services:	
Payable from General Revenue Fund	94,200
Payable from State Parks Fund	304,800
Payable from Wildlife and Fish Fund	32,500
For Operation of Auto Equipment:	
Payable from General Revenue Fund	371,300
Payable from State Parks Fund	258,100
Payable from Wildlife and Fish Fund	147,700
For Illinois-Michigan Canal:	
Payable from State Parks Fund	118,000
For Union County and Horseshoe Lake	
Conservation Areas, Farming and Wildlife	

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Operations:	
Payable from Wildlife and Fish Fund	466,100
For operations and maintenance from revenues derived from the sale of surplus crops and timber harvest:	
Payable from the State Parks Fund	1,000,000
Payable from the Wildlife and Fish Fund	1,000,000
For Snowmobile Programs:	
Payable from State Boating Act Fund	46,900
For operating expenses of the North Point Marina at Winthrop Harbor:	
Payable from the Illinois Beach Marina Fund	1,624,500
For expenses of the Park and Conservation program:	
Payable from Park and Conservation Fund	4,728,800
For expenses of the Bikeways program:	
Payable from Park and Conservation Fund	1,224,000
For Wildlife Prairie Park Operations and Improvements:	
Payable from General Revenue Fund	828,200
Payable from Wildlife Prairie Park Fund	100,000
For expenses of the Environment and Nature Training Institute for Conservation Education (E.N.T.I.C.E.):	
Payable from General Revenue Fund	273,400
For Operations and Maintenance, including costs associated with operating new sites and facilities:	
Payable from General Revenue Fund	0
Payable from State Parks Fund	1,500,000
For expenses associated with an outdoor education and recreation camp for inner-city youth known as Under Illinois Skies:	
Payable from General Revenue Fund	0
Payable from Wildlife and Fish Fund	0
For expenses associated with Safety Education Programs:	
Payable from Wildlife and Fish Fund	0
Total	\$52,495,800

Section 45. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

OFFICE OF MINES AND MINERALS

For Personal Services:	
Payable from General Revenue Fund	2,295,100
Payable from Mines and Minerals Underground Injection Control Fund	246,100
Payable from Plugging and Restoration Fund	195,700
Payable from Underground Resources Conservation Enforcement Fund	284,500
Payable from Federal Surface Mining Control and Reclamation Fund	1,344,400
Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund	1,787,800

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For Employee Retirement Contributions	
Paid by State:	
Payable from General Revenue Fund	0
Payable from Mines and Minerals Underground	
Injection Control Fund	7,400
Payable from Plugging and Restoration Fund	5,900
Payable from Underground Resources	
Conservation Enforcement Fund	8,500
Payable from Federal Surface Mining Control	
and Reclamation Fund	40,300
Payable from Abandoned Mined Lands	
Reclamation Council Federal Trust	
Fund	53,600
For State Contributions to State	
Employees' Retirement System:	
Payable from General Revenue Fund	369,600
Payable from Mines and Minerals Underground	
Injection Control Fund	39,600
Payable from Plugging and Restoration Fund	31,500
Payable from Underground Resources	
Conservation Enforcement Fund	45,800
Payable from Federal Surface Mining Control	
and Reclamation Fund	216,500
Payable from Abandoned Mined Lands	
Reclamation Council Federal Trust	
Fund	287,900
For State Contributions to Social Security:	
Payable from General Revenue Fund	175,600
Payable from Mines and Minerals Underground	
Injection Control Fund	18,800
Payable from Plugging and Restoration Fund	15,000
Payable from Underground Resources	
Conservation Enforcement Fund	21,800
Payable from Federal Surface Mining Control	
and Reclamation Fund	102,800
Payable from Abandoned Mined Lands	
Reclamation Council Federal Trust	
Fund	136,800
For Group Insurance:	
Payable from Mines and Minerals Underground	
Injection Control Fund	59,500
Payable from Plugging and Restoration Fund	40,800
Payable from Underground Resources	
Conservation Enforcement Fund	79,000
Payable from Federal Surface Mining Control	
and Reclamation Fund	259,800
Payable from Abandoned Mined Lands	
Reclamation Council Federal Trust	
Fund	300,000
For Contractual Services:	
Payable from General Revenue Fund	188,300
Payable from Mines and Minerals Underground	
Injection Control Fund	27,700
Payable from Plugging and Restoration Fund	13,100
Payable from Underground Resources	
Conservation Enforcement Fund	113,400
Payable from Federal Surface Mining Control	
and Reclamation Fund	372,300
Payable from Abandoned Mined Lands	

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Reclamation Council Federal Trust Fund 278,900	
For Travel:	
Payable from General Revenue Fund	32,600
Payable from Mines and Minerals Underground Injection Control Fund	1,000
Payable from Plugging and Restoration Fund	1,400
Payable from Underground Resources	
Conservation Enforcement Fund	6,000
Payable from Federal Surface Mining Control and Reclamation Fund	31,400
Payable from Abandoned Mined Lands	
Reclamation Council Federal Trust Fund 30,700	
For Commodities:	
Payable from General Revenue Fund	26,900
Payable from Mines and Minerals Underground Injection Control Fund	2,200
Payable from Plugging and Restoration Fund	2,500
Payable from Underground Resources	
Conservation Enforcement Fund	9,600
Payable from Federal Surface Mining Control and Reclamation Fund	15,400
Payable from Abandoned Mined Lands	
Reclamation Council Federal Trust Fund 27,300	
For Printing:	
Payable from General Revenue Fund	4,200
Payable from Mines and Minerals Underground Injection Control Fund	500
Payable from Plugging and Restoration Fund	500
Payable from Underground Resources	
Conservation Enforcement Fund	3,300
Payable from Federal Surface Mining Control and Reclamation Fund	11,200
Payable from Abandoned Mined Lands	
Reclamation Council Federal Trust Fund 12,800	
For Equipment:	
Payable from General Revenue Fund	32,200
Payable from Mines and Minerals Underground Injection Control Fund	15,200
Payable from Plugging and Restoration Fund	35,300
Payable from Underground Resources	
Conservation Enforcement Fund	9,300
Payable from Federal Surface Mining Control and Reclamation Fund	118,400
Payable from Abandoned Mined Lands	
Reclamation Council Federal Trust Fund 109,200	
For Electronic Data Processing:	
Payable from General Revenue Fund	20,500
Payable from Mines and Minerals Underground Injection Control Fund	3,900
Payable from Plugging and Restoration Fund	19,900
Payable from Underground Resources	
Conservation Enforcement Fund	12,800
Payable from Federal Surface Mining Control and Reclamation Fund	131,500

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Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund 114,800	
For Telecommunications Services:	
Payable from General Revenue Fund	51,200
Payable from Mines and Minerals Underground Injection Control Fund	2,700
Payable from Plugging and Restoration Fund Payable from Underground Resources Conservation Enforcement Fund	9,500
Payable from Federal Surface Mining Control and Reclamation Fund	15,600
Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund 45,100	29,900
For Operation of Auto Equipment:	
Payable from General Revenue Fund	44,600
Payable from Mines and Minerals Underground Injection Control Fund	13,500
Payable from Plugging and Restoration Fund 19,000	
Payable from Underground Resources Conservation Enforcement Fund	32,100
Payable from Federal Surface Mining Control and Reclamation Fund	30,800
Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund 40,200	
For the purpose of coordinating training and education programs for miners and laboratory analysis and testing of coal samples and mine atmospheres:	
Payable from the General Revenue Fund	13,700
Payable from the Coal Mining Regulatory Fund 32,800	
Payable from Federal Surface Mining Control and Reclamation Fund	373,200
For expenses associated with Aggregate Mining Regulation:	
Payable from Aggregate Operations Regulatory Fund 338,700	
For expenses associated with Explosive Regulation:	
Payable from Explosives Regulatory Fund	139,700
For expenses associated with Environmental Mitigation Projects, Studies, Research, and Administrative Support:	
Payable from Abandoned Mined Lands Reclamation Council Federal Trust Fund	400,000
For the purpose of reclaiming surface mined lands, with respect to which a bond has been forfeited:	
Payable from Land Reclamation Fund	350,000
For expenses associated with Surface Coal Mining Regulation:	
Payable from Coal Mining Regulatory Fund	324,200
For the State of Illinois' share of expenses of Interstate Oil Compact	

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Commission created under the authority of "An Act ratifying and approving an Interstate Compact to Conserve Oil and Gas", approved July 10, 1935, as amended:	
Payable from General Revenue Fund	6,600
For State expenses in connection with the Interstate Mining Compact:	
Payable from General Revenue Fund	19,300
For expenses associated with litigation of Mining Regulatory actions:	
Payable from Federal Surface Mining Control and Reclamation Fund	15,000
For Small Operators' Assistance Program:	
Payable from Federal Surface Mining Control and Reclamation Fund	150,000
For Plugging & Restoration Projects:	
Payable from Plugging & Restoration Fund	674,100
For Interest Penalty Escrow:	
Payable from General Revenue Fund	500
Payable from Underground Resources Conservation Enforcement Fund	500
For the purpose of carrying out the Illinois Petroleum Education and Marketing Act:	
Payable from the Petroleum Resources Revolving Fund	625,000
Total	\$14,104,000

Section 50. The sum of \$1,009,889, or so much thereof as may be necessary and as remains unexpended, at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Sections 60 and 65 of Public Act 93-97, as amended, is reappropriated from the Plugging and Restoration Fund to the Department of Natural Resources for plugging and restoration projects.

Section 55. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Natural Resources:

OFFICE OF WATER RESOURCES

For Personal Services:	
Payable from General Revenue Fund	3,889,200
Payable from State Boating Act Fund	283,800
For Employee Retirement Contributions Paid by State:	
Payable from General Revenue Fund	0
Payable from State Boating Act Fund	8,500
For State Contributions to State Employees' Retirement System:	
Payable from General Revenue Fund	626,400
Payable from State Boating Act Fund	45,700
For State Contributions to Social Security:	
Payable from General Revenue Fund	297,500
Payable from State Boating Act Fund	21,700
For Group Insurance:	
Payable from State Boating Act Fund	83,000
For Contractual Services:	
Payable from General Revenue Fund	422,800
Payable from State Boating Act Fund	23,000
For Travel:	
Payable from General Revenue Fund	148,500
Payable from State Boating Act Fund	6,500
For Commodities:	

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Payable from General Revenue Fund	14,000
Payable from State Boating Act Fund	17,200
For Printing:	
Payable from General Revenue Fund	4,600
For Equipment:	
Payable from General Revenue Fund	10,400
Payable from State Boating Act Fund	39,000
For Telecommunications Services:	
Payable from General Revenue Fund	87,000
Payable from State Boating Act Fund	7,800
For Operation of Auto Equipment:	
Payable from General Revenue Fund	88,200
Payable from State Boating Act Fund	7,700
For execution of state assistance programs to improve the administration of the National Flood Insurance Program (NFIP) and National Dam Safety Program as approved by the Federal Emergency Management Agency (82 Stat. 572):	
Payable from National Flood Insurance Program Fund	305,200
For Repairs and Modifications to Facilities:	
Payable from State Boating Act Fund	53,900
For expenses associated with the operations and maintenance of an Aquatic Nuisance Barrier in the Chicago Sanitary and Ship Canal:	
Payable from the General Revenue Fund	0
Total	\$6,491,500

Section 60. The sum of \$889,300, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for the objects, uses, and purposes specified, including grants for such purposes and electronic data processing expenses, at the approximate costs set forth below:

Corps of Engineers Studies - To jointly plan local flood protection projects with the U.S. Army Corps of Engineers and to share planning expenses as required by Section 203 of the U.S. Water Resources Development Act of 1996 (P.L. 104-303)	77,800
Federal Facilities - For payment of the State's share of operation and maintenance costs as local sponsor of the federal Rend Lake Reservoir and the federal projects on the Kaskaskia River	0
Lake Michigan Management - For studies carrying out the provisions of the Level of Lake Michigan Act, 615 ILCS 50 and the Lake Michigan Shoreline Act, 615 ILCS 55	21,100
National Water Planning - For expenses to participate in national and regional water planning programs including membership in regional and national associations, commissions and compacts	140,900
River Basin Studies - For purchase of	

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necessary mapping, surveying, test boring, field work, equipment, studies, legal fees, hearings, archaeological and environmental studies, data, engineering, technical services, appraisals and other related expenses to make water resources reconnaissance and feasibility studies of river basins, to identify drainage and flood problem areas, to determine viable alternatives for flood damage reduction and drainage improvement, and to prepare project plans and specifications	134,400
Design Investigations - For purchase of necessary mapping, equipment test boring, field work for Geotechnical investigations and other design and construction related studies	0
Rivers and Lakes Management - For purchase of necessary surveying, equipment, obtaining data, field work studies, publications, legal fees, hearings and other expenses to carry out the provisions of the 1911 Act in relation to the "Regulation of Rivers, Lakes and Streams Act", 615 ILCS 5/4.9 et seq.	24,600
State Facilities - For materials, equipment, supplies, services, field vehicles, and heavy construction equipment required to operate, maintain, repair, construct, modify or rehabilitate facilities controlled or constructed by the Office of Water Resources, and to assist local governments for flood control and to preserve the streams of the State	71,000
State Water Supply and Planning - For data collection, studies, equipment and related expenses for analysis and management of the water resources of the State, implementation of the State Water Plan, and management of state-owned water resources	67,200
USGS Cooperative Program - For payment of the Department's share of operation and maintenance of statewide stream gauging network, water data storage and retrieval system, preparation of topography mapping, and water related studies; all in cooperation with the U.S. Geological Survey	<u>352,300</u>

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Total \$889,300

Section 65. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Natural Resources:

WASTE MANAGEMENT AND RESEARCH CENTER

For Ordinary and Contingent Expenses:

Payable from General Revenue Fund	2,411,300
Payable from Toxic Pollution Prevention Fund	89,700
Payable from Hazardous Waste Research Fund	472,100
Payable from Natural Resources Information Fund	<u>24,700</u>
Total	\$2,997,800

STATE GEOLOGICAL SURVEY

For Ordinary and Contingent Expenses:

Payable from General Revenue Fund	6,413,200
Payable from Natural Resources Information Fund	<u>202,100</u>
Total	\$6,615,300

STATE NATURAL HISTORY SURVEY

For Ordinary and Contingent Expenses:

Payable from General Revenue Fund	3,912,700
Payable from Natural Resources Information Fund	14,200

For Mosquito Research and Abatement:

Payable from Used Tire Management Fund	<u>199,000</u>
Total	\$4,125,900

STATE WATER SURVEY

For Ordinary and Contingent Expenses:

Payable from General Revenue Fund	3,918,500
Payable from Natural Resources Information Fund	<u>5,700</u>
Total	\$3,924,200

STATE MUSEUMS

For Ordinary and Contingent Expenses:

Payable from General Revenue Fund	4,895,700
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FOR REFUNDS

Section 70. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Natural Resources:

For Payment of Refunds:

Payable from General Revenue Fund	1,500
Payable from State Boating Act Fund	30,000
Payable from State Parks Fund	25,000
Payable from Wildlife and Fish Fund	1,150,000
Payable from Plugging and Restoration Fund	25,000
Payable from Underground Resources Conservation Enforcement Fund	25,000
Payable from Natural Resources Information Fund	1,000
Payable from Illinois Beach Marina Fund	<u>25,000</u>
Total	\$1,282,500

Section 75. The following named sums, or so much thereof as may be necessary, respectively, and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made for such purposes, are reappropriated to the Department of Natural Resources for the objects and purposes set forth below:

Payable from General Revenue Fund:

(From Article 1, Section 145, on page 33, lines 21-30 and Section 150

on page 35, lines 19-27 of
Public Act 93-97, as amended)

For multiple use facilities and programs
for conservation purposes provided by
the Department of Natural Resources,
including construction and development,
all costs for supplies, material,
labor, land acquisition, services,
studies and all other expenses required
to comply with the intent of this
appropriation,

2,405,209

Section 80. The following named sums, new appropriations, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Natural Resources:

Payable from General Revenue Fund:

For multiple use facilities and
programs for conservation purposes
provided by the Department of Natural
Resources, including construction
and development, all costs for supplies,
materials, labor, land acquisition,
services, studies and all other
expenses required to comply with the
intent of this appropriation

805,200

Section 85. The sum of \$200,000, or so much thereof as may be necessary, is appropriated from the Emergency Public Health Fund to the Department of Natural Resources for research regarding mosquitoes and the diseases they spread.

Section 90. The sum of \$150,000, new appropriation, is appropriated from the State Boating Act Fund to the Department of Natural Resources for a grant to the Chain O'Lakes – Fox River Waterway Management Agency for the Agency's operational expenses.

Section 95. The sum of \$29,000,000, or so much thereof as may be necessary, is appropriated from the Capital Development Fund to the Capital Development Board in conjunction with the Department of Natural Resources for the construction of the World Shooting Complex in Sparta.

Section 100. No contract shall be entered into or obligation incurred or any expenditure made from a reappropriation herein made in Section 95.

ARTICLE 29

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund for the ordinary and contingent expenses of the Governor's Office of Management and Budget in the Executive Office of the Governor:

GENERAL OFFICE

For Personal Services	2,112,000
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to the State	
Employees' Retirement System	340,200
For State Contributions to	
Social Security	160,800
For Contractual Services	192,000
For Travel	86,400
For Commodities	6,700
For Printing	34,600
For Equipment	15,300
For Electronic Data Processing	134,400
For Telecommunications Services	81,600
Total	\$3,164,000

Section 10. The amount of \$1,384,600, or so much thereof as may be necessary, is appropriated from the Capital Development Fund to the Governor's Office of Management and

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Budget for ordinary and contingent expenses associated with the sale and administration of General Obligation bonds.

Section 15. The amount of \$425,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Governor's Office of Management and Budget for ordinary and contingent expenses associated with the sale and administration of Build Illinois bonds.

Section 20. The amount of \$255,000,000, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Retirement and Interest Fund to the Governor's Office of Management and Budget for the purpose of making payments to the Trustee under the Master Indenture as defined by and pursuant to the Build Illinois Bond Act.

Section 25. The amount of \$113,400, or so much thereof as may be necessary, is appropriated from the School Infrastructure Fund to the Governor's Office of Management and Budget for operational expenses related to the School Infrastructure Program.

Section 30. The sum of \$14,000,000, or so much thereof as may be necessary, is appropriated from the Illinois Civic Center Bond Retirement and Interest Fund to the Governor's Office of Management and Budget for the principal and interest and premium, if any, on Limited Obligation Revenue bonds issued pursuant to the Metropolitan Civic Center Support Act.

Section 35. No contract shall be entered into or obligation incurred for any expenditures from the appropriations made in Sections 10, 15, and 20 until after the purposes and amounts have been approved in writing by the Governor.

ARTICLE 30

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Illinois Arts Council:

Payable from the General Revenue Fund:

For Personal Services	1,098,300
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement Contributions	176,900
For State Contributions to	
Social Security	83,800
For Contractual Services	182,800
For Travel	19,000
For Commodities	8,500
For Printing	52,900
For Equipment	900
For Electronic Data Processing	19,200
For Telecommunications Services	20,200
For Travel and Meeting Expenses of	
Arts Council and Panel Members	28,800
Total	\$1,691,300

Section 10. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Illinois Arts Council to enhance the cultural environment in Illinois:

Payable from General Revenue Fund:

For Grants and Financial Assistance for	
Arts Organizations	5,855,400
For Grants and Financial Assistance for	
Special Constituencies	2,146,200
For Grants and Financial Assistance for	
Arts Education	<u>1,387,500</u>
Total	\$9,389,100

Payable from Illinois Arts Council

Federal Grant Fund:

For Grants and Programs to Enhance	
the Cultural Environment	741,000

Section 15. The sum of \$960,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Arts Council for the purpose of

funding administrative and grant expenses associated with humanities programs and related activities.

Section 20. The amount of \$364,800, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Arts Council for grants to certain public radio and television stations for operating costs.

Section 25. The amount of \$4,708,000, or so much thereof as may be necessary is appropriated from the General Revenue Fund to the Illinois Arts Council for grants to certain public radio and television stations and related administrative expenses, pursuant to the Public Radio and Television Grant Act.

Section 30. The sum of \$750,000, new appropriation, is appropriated and the sum of \$1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 30 of Public Act 93-72, as amended, is reappropriated from the General Revenue Fund to the Illinois Arts Council for the purpose of providing grants and related operational expenses.

ARTICLE 31

Section 5. The sum of \$7,619,700, or so much thereof as may be necessary, is appropriated from the Drycleaner Environmental Response Trust Fund to the Drycleaner Environmental Response Trust Fund Council for use in accordance with the Drycleaner Environmental Response Trust Fund Act.

Section 10. The sum of \$380,300, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made for such purposes in Article 4, Section 1 of Public Act 93-62, is reappropriated from the Drycleaner Environmental Response Trust Fund to the Drycleaner Environmental Response Trust Fund Council for use in accordance with the Drycleaner Environmental Response Trust Fund Act.

ARTICLE 32

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated for the ordinary and contingent expenses of the Office of the Governor:

EXECUTIVE OFFICE

Payable from the General Revenue Fund:

For Personal Services	5,259,200
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	847,100
For State Contributions to	
Social Security	373,000
For Contractual Services	680,000
For Travel	140,000
For Commodities	75,000
For Printing	50,000
For Equipment	5,000
For Electronic Data Processing	160,000
For Telecommunications Services	450,000
For Repairs and Maintenance	32,000
For Expenses Related to Ethnic Celebrations,	
Special Receptions, and Other Events	<u>70,000</u>
Total	\$8,141,300

Section 10. The sum of \$100,000, or so much thereof as may be necessary, is appropriated from the Governor's Grant Fund to the Office of the Governor to be expended in accordance with the terms and conditions upon which such funds were received and in the exercise of the powers or performance of the duties of the Office of the Governor.

ARTICLE 33

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

FOR OPERATIONS

EXECUTIVE OFFICE

PAYABLE FROM GENERAL REVENUE FUND

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For Personal Services	1,049,000
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	169,000
For State Contributions to Social Security	80,300
For Contractual Services	127,800
For Travel	13,100
For Commodities	5,300
For Printing	76,600
For Electronic Data Processing	40,800
For Telecommunications Services	18,700
For Lincoln Legals	135,200
Total	\$1,715,700

PAYABLE FROM ILLINOIS HISTORIC SITES FUND

For Contractual Services	55,000
For Commodities	1,000
For Printing	16,300
For Equipment	1,000
For historic preservation programs administered by the Executive Office, only to the extent that funds are received through grants, and awards, or gifts	225,000
For research projects associated with Abraham Lincoln	<u>200,000</u>
Total	\$498,300

Section 10. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Historic Preservation Agency:

FOR OPERATIONS

ILLINOIS HISTORICAL LIBRARY DIVISION

PAYABLE FROM GENERAL REVENUE FUND

For Personal Services	905,000
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	145,800
For State Contributions to Social Security	68,400
For Contractual Services	18,800
For Travel	4,400
For Commodities	12,100
For Printing	1,200
For Equipment	27,400
For Telecommunications Services	9,300
For On-Line Computer Library Center (OCLC)	51,200
For Purchase and Care of Lincolniana	<u>18,600</u>
Total	\$1,262,000

Section 15. The sum of \$225,000 or so much thereof as may be necessary, is appropriated from the Illinois Historic Sites Fund to the Historic Preservation Agency for the ordinary and contingent expenses of the Historical Library including microfilming Illinois newspapers and manuscripts and performing genealogical research.

Section 20. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Historic Preservation Agency:

FOR OPERATIONS

PRESERVATION SERVICES DIVISION

PAYABLE FROM GENERAL REVENUE FUND

For Personal Services	547,500
For Employee Retirement Contributions	

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Paid by Employer	0
For State Contributions to State Employees' Retirement System	88,200
For State Contributions to Social Security	40,700
For Contractual Services	32,400
For Travel	5,500
For Commodities	2,300
For Telecommunications	11,600
For the Main Street Program	163,700
For Access Improvements to Historic Places	<u>100,000</u>
Total	\$991,900
PAYABLE FROM ILLINOIS HISTORIC SITES FUND	
For Personal Services	343,400
For Employee Retirement Contributions	
Paid by Employer	10,300
For State Contributions to State Employees' Retirement System	55,300
For State Contributions to Social Security	26,300
For Group Insurance	96,000
For Contractual Services	59,000
For Travel	26,000
For Commodities	3,000
For Printing	1,000
For Equipment	2,000
For Electronic Data Processing	5,000
For Telecommunications Services	13,000
For historic preservation programs made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, or for refunds	<u>662,800</u>
Total	\$1,303,100

Section 25. The sum of \$150,000, or so much thereof as may be necessary, is appropriated from the Illinois Historic Sites Fund to the Historic Preservation Agency for awards and grants for historic preservation programs made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual.

Section 30. The sum of \$90,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 1, Section 3a of Public Act 93-0093, as amended, is reappropriated from the Illinois Historic Sites Fund to the Historic Preservation Agency for awards and grants for historic preservation programs made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual.

Section 35. The sum of \$50,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 1, Section 3b of Public Act 93-0093, as amended, is reappropriated from the Illinois Historic Sites Fund to the Historic Preservation Agency for awards and grants for historic preservation programs made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual.

Section 40. The sum of \$48,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 1, Section 3d of Public Act 93-0093, as amended, is reappropriated from the General Revenue Fund to the Historic Preservation Agency to make Illinois Heritage Grants for the purpose of planning, survey, rehabilitation, restoration, reconstruction, landscaping and acquisition

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of Illinois properties designated on the National Register of Historic Places or as a landmark based on a county or municipal ordinance or those located within certain historic districts deemed historically significant.

Section 43. The amount of \$250,000 is appropriated from the General Revenue Fund to the Illinois Historic Preservation Agency for a grant for the establishment of the Vernon Jarret Museum of Civil Rights.

Section 45. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Historic Preservation Agency:

FOR OPERATIONS	
ADMINISTRATIVE SERVICES DIVISION	
PAYABLE FROM GENERAL REVENUE FUND	
For Personal Services	1,130,800
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	182,100
For State Contributions to Social Security	86,600
For Contractual Services	312,200
For Travel	2,100
For Commodities	16,200
For Printing	1,300
For Telecommunications Services	22,800
For Operation of Auto Equipment	12,000
For deposit into the General Obligation	
Bond Retirement and Interest Fund for	
costs associated with the debt service	
payments of rolling stock and capital	
equipment	0
Total	\$1,766,100

Section 50. The sum of \$200,000 or so much thereof as may be necessary is appropriated from the Illinois Historic Sites Fund to the Historic Preservation Agency for the ordinary and contingent expenses of the Administrative Services division for costs associated with but not limited to Union Station, the Old State Capitol and the Old Journal Register Building.

Section 55. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Historic Preservation Agency:

FOR OPERATIONS	
HISTORIC SITES DIVISION	
PAYABLE FROM GENERAL REVENUE FUND	
For Personal Services	4,737,400
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	763,000
For State Contributions to Social Security	362,500
For Contractual Services	861,700
For Travel	16,700
For Commodities	145,300
For Equipment	47,500
For Telecommunications Services	62,600
For Operation of Auto Equipment	42,000
Total	\$7,038,600
PAYABLE FROM ILLINOIS HISTORIC SITES FUND	
For Personal Services	38,000
For Employee Retirement Contributions	
Paid by Employer	1,100
For State Contributions to State	
Employees' Retirement System	6,100

For State Contributions to Social Security	2,950
For Group Insurance	12,000
For Contractual Services	150,000
For Travel	5,000
For Commodities	35,000
For Equipment	25,000
For Telecommunications Services	5,000
For Operation of Auto Equipment	10,000
For Historic Preservation Programs Administered by the Historic Sites Division, Only to the Extent that Funds are Received Through Grants, Awards, or Gifts	100,000
For Permanent Improvements	75,000
Total	\$465,150

Section 60. The sum of \$600,000, or so much thereof as may be necessary, is appropriated from the Illinois Historic Sites Fund to the Historic Preservation Agency for operations, maintenance, repairs, permanent improvements, special events, and all other costs related to the operation of Illinois Historic Sites and only to the extent which donations are received at Illinois State Historic Sites.

Section 65. The sum of \$196,300, or so much thereof as may be necessary, is appropriated to the Historic Preservation Agency from the General Revenue Fund for programs and purposes including repairing, maintaining, reconstructing, rehabilitating, replacing, fixed assets, construction and development, studies, all costs for supplies, materials, labor, land acquisition and its related costs, services and other expenses at historic sites.

Section 70. The sum of \$235,200, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Historic Preservation Agency for the operational expenses of the Lewis and Clark Historic Site in Madison County.

Section 75. The amounts appropriated for repairs and maintenance and other capital improvements in Section 5b of this Article for repairs and/or replacements, and miscellaneous capital improvements at the agency's various historical sites, and are to include construction, reconstruction, improvements, repairs and installation of capital facilities, costs of planning, supplies, materials, and all other types of repairs and maintenance, and capital improvements.

No contract shall be entered into or obligation incurred for repairs and maintenance and other capital improvements from appropriations made in Section 5c of this Article until after the purposes and amounts have been approved in writing by the Governor.

Section 80. The sum of \$7,655,950, or so much thereof as may be necessary, is appropriated from the Presidential Library and Museum Operating Fund to the Historic Preservation Agency to meet the ordinary and contingent expenses of the Abraham Lincoln Presidential Library and Museum in Springfield.

ARTICLE 34

Section 5. The sum of \$5,737,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of Executive Inspector General for its ordinary and contingent expenses.

ARTICLE 35

Section 5. The sum of \$650,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Executive Ethics Commission for its ordinary and contingent expenses.

ARTICLE 36

Section 5. The following named amounts, or so much thereof as may be necessary, are appropriated from the General Revenue Fund to the Illinois Labor Relations Board for the objects and purposes hereinafter named:

OPERATIONS	
For Personal Services	1,087,700
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	175,200
For State Contributions to Social Security	81,500

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For Contractual Services	161,300
For Travel	22,200
For Commodities	3,400
For Printing	3,100
For Equipment	21,700
For Electronic Data Processing	20,800
For Telecommunications Services	<u>44,100</u>
Total	\$1,621,000

Section 10. The sum of \$320,600, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Labor Relations Board for costs associated with Public Act 93-0655, including administrative expenses.

ARTICLE 37

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Office of the Lieutenant Governor:

GENERAL OFFICE

For Personal Services	960,000
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	154,600
For State Contributions to Social Security	73,400
For Contractual Services	432,000
For Travel	74,000
For Commodities	25,000
For Printing	25,000
For Equipment	7,700
For Electronic Data Processing	40,800
For Telecommunications Services	72,000
For Operational and Grant Expenses of the Rural Affairs Council	364,800
For Ordinary and Contingent Expenses of The Illinois River Coordination Council	<u>190,000</u>
Total	\$2,419,300

Section 10. The sum of \$100,000, or so much thereof as may be necessary, is appropriated from the Agricultural Premium Fund to the Office of Lieutenant Governor for all costs associated with the Rural Affairs Council including any grants or administration expenses.

Section 15. The sum of \$50,000, or so much thereof as may be necessary, is appropriated from the Lieutenant Governor's Grant Fund to the Office of Lieutenant Governor to be expended in accordance with the terms and conditions upon which such funds were received and in the exercise of the powers or performance of the duties of the Office of the Lieutenant Governor.

ARTICLE 38

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the State Employees' Retirement System:

FOR OPERATIONS

FOR THE SOCIAL SECURITY ENABLING ACT

For Personal Services	42,400
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to the State Employees' Retirement System	6,800
For State Contributions to Social Security	3,300
For Contractual Services	19,350

For Travel	1,100
For Commodities	200
For Printing	0
For Equipment	0
For Electronic Data Processing	0
For Telecommunications Services	<u>400</u>
Total	\$73,550

CENTRAL OFFICE

For Employee Retirement Contributions

Paid by Employer for Prior Fiscal Year:

Payable from General Revenue Fund	90,000
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Section 10. The sum of \$0, minus the amount transferred to the State Employees' Retirement System pursuant to continuing appropriation authorized by the State Pensions Fund Continuing Appropriation Act, is appropriated from the State Pensions Fund to the Board of Trustees of the State Employees' Retirement System pursuant to the provisions of Section 8.12 of "An Act in relation to State finance", approved June 10, 1919, as amended.

Section 15. The sum of \$15,090,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the Judges' Retirement System for the State's Contribution, as provided by law.

Section 20. The sum of \$16,901,000, minus the amount transferred to the Judges' Retirement System pursuant to continuing appropriation authorized by the State Pensions Fund Continuing Appropriation Act, is appropriated from the State Pensions Fund to the Board of Trustees of the Judges' Retirement System pursuant to the provisions of Section 8.12 of "An Act in relation to State finance", approved June 10, 1919, as amended.

Section 25. The sum of \$2,206,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Board of Trustees of the General Assembly Retirement System for the State's Contribution, as provided by law.

Section 30. The sum of \$2,469,000, minus the amount transferred to the General Assembly Retirement System pursuant to continuing appropriation authorized by the State Pensions Fund Continuing Appropriation Act, is appropriated from the State Pensions Fund to the Board of Trustees of the General Assembly Retirement System, pursuant to the provisions of Section 8.12 of "An Act in relation to State finance", approved June 10, 1919, as amended.

ARTICLE 39

Section 5. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the Economic and Fiscal Commission:

For Personal Services	674,950
For Employee Retirement Contributions	
Paid by Employer	25,038
For State Contributions to State Employees' Retirement System	108,707
For State Contribution to Social Security	47,885
For Contractual Services	46,636
For Travel	2,100
For Commodities	2,363
For Printing	4,283
For Equipment	900
For Electronic Data Processing	1,500
For Telecommunications Services	8,300
For additional costs associated with the assumption of duties of the Pension Laws Commission	<u>158,000</u>
Total	\$1,080,662

Section 10. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the Legislative Information System:

For Personal Services	1,900,300
For Employee Retirement Contributions	

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Paid by Employer	76,000
For State Contribution to State Employees' Retirement System	387,600
For State Contribution to Social Security	145,400
For Contractual Services	392,600
For Travel	6,000
For Commodities	5,200
For Printing	5,000
For Equipment	3,200
For Electronic Data Processing	1,048,200
For Purchase, Maintenance, and Rental of General Assembly Electronic Data Processing Equipment, and any other operational purposes of the General Assembly	702,000
For Telecommunications Services	<u>162,200</u>
Total	\$4,833,700

Section 15. The following amount, or so much of that amount as may be necessary, is appropriated to the Legislative Information System:

For Purchase, Maintenance, and Rental of Electronic Data Processing Equipment and Software relating to the development and implementation of legislative systems, and for consulting, technical, and design services related thereto	1,050,000
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Section 20. The following amount, or so much of that amount as may be necessary, is appropriated from the General Assembly Computer Equipment Revolving Fund to the Legislative Information System:

For Purchase, Maintenance, and Rental of General Assembly Electronic Data Processing Equipment and for other operational purposes of the General Assembly	1,600,000
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Section 25. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the Legislative Audit Commission:

For Personal Services	166,500
For Employee Retirement Contributions Paid by Employer	6,700
For State Contributions to State Employees' Retirement System	34,000
For State Contribution to Social Security	12,700
For Contractual Services	5,900
For Travel	5,500
For Commodities	500
For Printing	1,500
For Equipment	500
For Electronic Data Processing	3,000
For Telecommunications Services	<u>1,600</u>
Total	\$238,400

Section 30. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the Legislative Printing Unit:

For Personal Services	1,181,500
For Employee Retirement Contributions Paid by Employer	47,260
For State Contributions to State Employees' Retirement System	190,300
For State Contribution to Social	

Security	90,380
For Contractual Services	231,000
For Travel	0
For Commodities	180,000
For Printing	101,400
For Equipment	200,200
For Telecommunications Services	<u>7,450</u>
Total	\$2,229,490

Section 35. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the Legislative Research Unit:

For Personal Services	1,139,568
For Employee Retirement Contributions	
Paid by Employer	45,583
For State Contribution to State Employees'	
Retirement System	232,426
For State Contribution to Social	
Security	87,177
For Contractual Services	551,846
For Travel	8,600
For Commodities	12,200
For Printing	20,850
For Equipment	55,100
For Telecommunications Services	26,600
For New Member Conference	<u>30,000</u>
Total	\$2,209,950

Section 40. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated to the Illinois Legislative Research Unit for the following purposes:

For payment of expenses of the	
Legislative Staff Intern program,	
including stipends, tuition, and	
administration for 20 persons	492,000
For payment of expenses of the Zeke	
Giorgi Memorial Intern Program, including	
stipends, tuition, and administration	
for 4 persons	<u>101,700</u>
Total	\$593,700

Section 45. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Legislative Reference Bureau:

For Personal Services	1,625,000
For Employee Retirement Contributions	
Paid by Employer	65,000
For State Contributions to State Employees'	
Retirement System	331,400
For State Contribution to Social	
Security	124,300
For Contractual Services	104,600
For Travel	15,000
For Commodities	10,000
For Printing	67,800
For Equipment	170,000
For Telecommunications Services	<u>15,000</u>
Total	\$2,528,100

Section 50. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the Office of the Architect of the Capitol:

For Personal Services	442,500
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For Employee Retirement Contributions	
Paid by Employer	14,000
For State Contributions to State Employees'	
Retirement System	71,300
For State Contribution to Social	
Security	26,800
For Contractual Services	99,000
For Travel	3,000
For Commodities	1,500
For Printing	500
For Equipment	2,300
For Electronic Data Processing	8,700
For Telecommunications Services	6,500
Total	\$676,100

Section 55. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named to meet the ordinary and contingent expenses of the Joint Committee on Administrative Rules:

For Personal Services	776,000
For Employee Retirement Contributions	
Paid by Employer	30,000
For State Contributions to State Employees'	
Retirement System	125,000
For State Contribution to Social	
Security	55,000
For Contractual Services	35,000
For Travel	16,000
For Commodities	11,000
For Equipment	19,000
For Telecommunications Services	10,000
Total	\$1,077,000

Section 60. The sum of \$103,700, or so much thereof as may be necessary, is appropriated for the ordinary and contingent expenses of the Senate Operations Commission including the planning costs, construction costs, moving expenses and all other costs associated with the construction and reconstruction of Senate offices in the Capitol Complex area.

Section 70. The amount of \$64,514, or so much of this amount as may be necessary and remains unexpended on June 30, 2004 from an appropriation heretofore made for such purpose in Section 85 of Article 16 of Public Act 93-91, is reappropriated from the Capital Development Fund to the Office of the Architect of the Capitol for plans, specifications, and continuation of work pursuant to the report and recommendations of the architectural, structural, and mechanical surveys of the State Capitol Building. This is for the continuation of the rehabilitation of the Capitol Building.

Section 75. The sum of \$694,237, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made for such purposes in Section 85 of Article 16 of Public Act 93-91, is reappropriated from the Capital Development Fund to the Office of the Architect of the Capitol for remodeling, planning, relocation, permanent equipment, and other related expenses, including architectural and engineering fees associated with construction, for the remodeling of office space and other support areas under the jurisdiction of the House of Representatives and the Senate.

ARTICLE 40

Section 5. The following sums, or so much thereof as may be necessary, respectively, are appropriated to the President of the Senate and the Speaker of the House of Representatives for furnishing the items provided in Section 4 of the General Assembly Compensation Act to members of their respective houses throughout the year in connection with their legislative duties and responsibilities and not in connection with any political campaign, as prescribed by law:

To the President of the Senate	4,470,700
To the Speaker of the House of	
Representatives	7,471,500
Total	\$11,942,200

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Section 10. Payments from the amounts appropriated in Section 5 hereof shall be made only upon the delivery of a voucher approved by the member to the State Comptroller. The voucher shall also be approved by the President of the Senate or the Speaker of the House of Representatives as the case may be.

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

For the ordinary and incidental expenses of legislative leadership and legislative staff assistants:	
President	4,825,900
Minority Leader	4,825,900
For the ordinary and incidental expenses of committees, the general staff and operations, per diem employees, special and standing committees of the Senate and expenses incurred in transcribing and printing of Senate debate	3,681,800
For the ordinary and incidental expenses of the Senate, also including the purchasing on contract as required by law of printing, binding, printing paper, stationery and office supplies	195,400
For allowances for the particular and additional services appertaining to or entailed by the respective officers of the Senate named in and in accordance with the following schedule:	
President	76,200
Minority Leader	76,200
For travel, including expenses to Springfield of members on official legislative business during weeks when the General Assembly is not in session	<u>52,700</u>
Total	\$13,734,100

Section 20. The sum of \$1,916,447, or so much thereof as may be necessary, is appropriated for the use of the Senate standing committees for expert witnesses, technical services, consulting assistance and other research assistance associated with special studies and long range research projects which may be requested by the standing committees.

Section 25. The sum of \$250,000, or so much thereof as may be necessary, is appropriated from the General Assembly Operations Revolving Fund to the Office of the President, to meet the ordinary and contingent expenses of the Senate.

Section 30. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary, incidental and contingent expenses of the House Majority and Minority Leadership Staff and Office operations:

For the Speaker	4,334,600
For the Minority Leader	<u>4,334,600</u>
Total	\$8,669,200

Section 35. The following named sums, or so much thereof as may be necessary, are appropriated to meet the ordinary, incidental and contingent expenses of the House Majority and Minority Leadership Staff and the general staff:

For the Speaker	326,300
For the Minority Leader	<u>148,000</u>
Total	\$474,300

Section 40. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, relating to the operation of the House of Representatives, are appropriated to meet its ordinary and contingent expenses:

For the ordinary and incidental expenses of

The general staff, operations, and special And standing committees of the House, for per diem employees and for expenses incurred in transcribing and printing of House debates	4,872,600
For the ordinary and incidental expenses of the House, also including the purchasing on contract as required by law of printing, binding, printing paper, stationery and office supplies, no part of which shall be expended for expenses of purchasing, handling or distributing such supplies and against which no indebtedness shall be incurred without the written approval of the Speaker of the House of Representatives	91,000
Pursuant to the Legislative Commission Reorganization Act of 1984, to the Speaker of the House for Standing House Committees	<u>2,173,100</u>
Total	\$7,136,700

Section 45. The following named sum, or so much thereof as may be necessary, for the objects and purposes hereinafter named, relating to House membership, is appropriated to meet the ordinary and contingent expenses of the House:

For travel, including expenses to Springfield of members on official legislative business during weeks when the General Assembly is not in session	27,700
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Section 50. The following named sums, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made for such purposes in Article 17 of Public Act 93-91 as amended by this Act, are appropriated for expenses in connection with the planning and preparation of redistricting of legislative and representative districts as required by Article IV, Section 3 of the Illinois Constitution of 1970:

For the Speaker	441,600
For the Minority Leader	<u>0</u>
Total	\$441,600

Section 55. The sum of \$250,000, or so much thereof as may be necessary, is appropriated from the General Assembly Operations Revolving Fund to the Office of the Speaker, to meet the ordinary and contingent expenses of the House.

Section 60. The amount of \$311,600, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the General Assembly to meet ordinary and contingent expenses. Any use of funds appropriated under this Section must be approved jointly by the Clerk of the House of Representatives and the Secretary of the Senate.

Section 65. As used in Sections 30 and 35 hereof, except where the approval of the Speaker of the House of Representatives is expressly required for the expenditure of or the incurring of indebtedness against an appropriation for certain purchases on contract, "Speaker" means the leader of the party having the largest number of members of the House of Representatives as of January 13, 2003, and "Minority Leader" means the leader of the party having the second largest number of members of the House of Representatives as of January 13, 2003.

Section 70. The sum of \$300,000, or so much thereof as may be necessary, is appropriated to the General Assembly's Office of the Inspector General to meet their ordinary and contingent expenses.

ARTICLE 41

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

GENERAL ADMINISTRATION OPERATIONS

Payable from the General Revenue Fund: For Personal Services	4,000,500
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For Retirement Contributions Paid by Employer	0
For Extra Help	9,600
For State Contributions to State Employees' Retirement System	645,900
For State Contributions to Social Security	307,000
For Contractual Services	2,827,400
For Travel	140,600
For Commodities	67,300
For Printing	49,900
For Equipment	71,600
For Electronic Data Processing	1,132,700
For Telecommunications Services	154,200
For Operation of Automotive Equipment	<u>45,200</u>
Total	\$9,451,900
Payable from the Tourism Promotion Fund:	
For Personal Services	1,353,600
For Retirement Contributions Paid by Employer	40,600
For State Contributions to State Employees' Retirement System	218,000
For State Contributions to Social Security	103,600
For Group Insurance	306,000
For Contractual Services	682,100
For Travel	14,100
For Commodities	16,200
For Printing	30,000
For Equipment	72,900
For Electronic Data Processing	194,300
For Telecommunications Services	31,300
For Operation of Automotive Equipment	<u>11,000</u>
Total	\$3,073,700
Payable from the Intra-Agency Services Fund:	
For Personal Services	1,952,100
For Retirement Contributions Paid by Employer	58,600
For Extra Help	79,500
For State Contributions to State Employees' Retirement System	327,200
For State Contributions to Social Security	241,600
For Group Insurance	468,000
For Contractual Services	2,134,100
For Travel	34,900
For Commodities	25,100
For Printing	21,400
For Equipment	78,900
For Electronic Data Processing	798,900
For Telecommunications Services	60,300
For Operation of Automotive Equipment	<u>11,000</u>
Total	\$6,291,600

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

BUREAU OF TOURISM
OPERATIONS

Payable from the Tourism Promotion Fund:	
For Personal Services	1,142,700

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For Retirement Contributions Paid by Employer	34,300
For State Contributions to State Employees' Retirement System	184,000
For State Contributions to Social Security	87,500
For Group Insurance	252,000
For Contractual Services	520,700
For Travel	70,000
For Commodities	14,300
For Printing	607,600
For Equipment	19,300
For Telecommunications Services	35,000
For Statewide Tourism Promotion	5,656,500
For Advertising and Promotion of Tourism Throughout Illinois Under Subsection (2) of Section 4a of the Illinois Promotion Act	12,578,700
For Advertising and Promotion of Illinois Tourism in International Markets	2,740,500
For Illinois State Fair Ethnic Village Expenses	61,000
Total	\$24,004,100

Section 15. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

BUREAU OF TOURISM
GRANTS-IN-AID

Payable from General Revenue Fund:	
For Grants, Contracts and Administrative Expenses Associated with the Development Of the Illinois Grape and Wine Industry, Including Prior Year Costs	144,000
For a Grant to the Illinois Health and Sports Foundation for the Prairie State Games	<u>96,000</u>
Total	\$240,000
Payable from the International Tourism Fund:	
For grants to Convention and Tourism Bureaus— Chicago Convention and Tourism Bureau and Chicago Office of Tourism	3,638,000
Balance of State	<u>1,000,000</u>
Total	\$4,638,000
Payable from the Tourism Attraction Development Matching Grant Fund:	
For the Tourism Attraction Development Grant Program Pursuant to 20 ILCS 665/8a	95,000
Payable from Local Tourism Fund:	
For grants to Convention and Tourism Bureaus-- Chicago Convention and Tourism Bureau	2,217,100
Chicago Office of Tourism	1,883,900
Balance of State	8,197,800
For grants, contracts, and administrative expenses associated with the Local Tourism and Convention Bureau Program pursuant to 20 ILCS 605/605-705 including prior year costs	<u>280,000</u>
Total	\$12,578,800

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

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Payable from the Tourism Promotion Fund:

For the Tourism Matching Grant Program Pursuant to 20 ILCS 665/8-1 for Counties under 1,000,000	1,094,000
For the Tourism Matching Grant Program Pursuant to 20 ILCS 665/8-1 for Counties over 1,000,000	656,000
For the Tourism Attraction Development Grant Program Pursuant to 20 ILCS 665/8a For Purposes Pursuant to the Illinois Promotion Act, 20 ILCS 665/4a-1 to Match Funds from Sources in the Private Sector 600,000	1,876,900
For Grants to Regional Tourism Development Organizations	<u>720,000</u>
Total	\$4,946,900

The Department, with the consent in writing from the Governor, may reapportion not more than ten percent of the total appropriation of Tourism Promotion Fund, in Section 20 above, among the various purposes therein recommended.

Section 25. The amount of \$858,704, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reapportionment heretofore made for such purposes in Article 3, Section 25 of Public Act 93-91, is reapportioned to the Department of Commerce and Economic Opportunity from the International Tourism Fund for grants, contracts, and administrative expenses associated with the Abraham Lincoln Presidential Library and Museum, including prior year costs.

Section 30. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

BUREAU OF WORKFORCE DEVELOPMENT
GRANTS-IN-AID

Payable from the Federal Workforce Training Fund:

For Grants, Contracts and Administrative Expenses Associated with the Workforce Investment Act and other workforce training programs, including refunds and prior year costs	350,000,000
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Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

BUREAU OF TECHNOLOGY AND INDUSTRIAL COMPETITIVENESS
OPERATIONS

Payable from the General Revenue Fund:

For Personal Services	927,200
For Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	149,300
For State Contributions to Social Security	70,900
For Contractual Services	55,000
For Travel	22,600
For Commodities	1,200
For Printing	800
For Equipment	4,800
For Telecommunications Services	15,600
For Operation of Automotive Equipment	<u>1,000</u>
Total	\$1,248,400

Payable from the Federal Industrial Services Fund:

For Personal Services	864,100
For Retirement Contributions Paid by Employer	25,900

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For State Contributions to State Employees' Retirement System	139,200
For State Contributions to Social Security	66,200
For Group Insurance	204,000
For Contractual Services	274,800
For Travel	67,900
For Commodities	12,700
For Printing	20,000
For Equipment	237,000
For Telecommunications Services	30,000
For Operation of Automotive Equipment	9,500
For Other Expenses of the Occupational Safety and Health Administration Program	<u>451,000</u>
Total	\$2,402,300
Payable from the Tobacco Settlement Recovery Fund:	
For Administration, Grant, and Investment Expenses of technology initiatives	2,000,000
Section 40. The amount of \$1,155,503, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 3, Section 40 of Public Act 93-91, is reappropriated from the Tobacco Settlement Recovery Fund to the Department of Commerce and Economic Opportunity for administration, grant, and investment expenses of technology initiatives.	
Section 45. The amount of \$1,939,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 3, Section 35 of Public Act 93-91, is reappropriated from the Tobacco Settlement Recovery Fund to the Department of Commerce and Economic Opportunity for administration, grant, and investment expenses of technology initiatives.	
Section 50. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:	
BUREAU OF TECHNOLOGY AND INDUSTRIAL COMPETITIVENESS GRANTS-IN-AID	
Payable from General Revenue Fund:	
For the Job Training and Economic Development Grant Program Act of 1997, as amended, including grants, contracts, and administrative expenses, including prior year costs	1,392,000
For Grants, Contracts and Administrative Expenses of the Employer Training Investment Program for companies with 250 or more employees pursuant but not limited to 20 ILCS 605/605-800, including Prior Year Costs	14,900,600
For Grants, Contracts and Administrative Expenses of the Employer Training Investment Program for companies with less than 250 employees pursuant but not limited to 20 ILCS 605/605-800, including Prior Year Costs	2,592,000
For Grants and Administrative Expenses Pursuant to the High Technology School-to-Work Act, Including Prior Year Costs	942,200
For Grants and Administrative Expenses for the Illinois Technology Enterprise Corporation Program, including prior year costs	435,800
For all costs relating to the Center for Safe Food for Small Business at the Illinois Institute of Technology	192,000
For a Grant to match private funds	

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available to the Higher Education & Business Partnership Initiative	<u>750,000</u>
Total	\$21,454,600
Payable from the New Technology Recovery Fund:	
For Grants, Loans, Investments, and Administrative Expenses Pursuant to the Technology Advancement and Development Act, Including Prior Year Costs	1,500,000
Payable from the Workforce, Technology, and Economic Development Fund:	
For Grants, Contracts, and Administrative Expenses Pursuant to 20 ILCS 605/ 605-420, Including Prior Year Costs	11,400,000
Payable from the Tobacco Settlement Recovery Fund:	
For Grants and Administrative Expenses For the Illinois Technology Enterprise Corporation Program, Including Prior Year Costs	1,500,000
Payable from the Digital Divide Elimination Fund:	
For Grants, Contracts and Administrative Expenses Pursuant to 30 ILCS 780, Including prior year costs	7,750,000
Payable from the Illinois Equity Fund:	
For Grants, Loans, and Investments in Accordance with the Provisions of Public Act 84-0109, as amended	2,850,000
Section 55. The sum of \$1,104,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 3, Section 45 of Public Act 93-91, is reappropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for Current Workforce Training Grants, including prior year costs.	
Section 60. The amount of \$192,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 3, Section 45 of Public Act 93-91, is reappropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for Workplace Skills Enhancement Program, including prior year costs.	
Section 62. The amount of \$1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 8B, Section 42 of Public Act 93-664, is reappropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for grants, contracts, and administrative expenses for the Industrial Training Program, pursuant to 20 ILCS 605/605-800 and 20 ILCS 605/605-802, including prior year costs.	
Section 64. The amount of \$1,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for a grant to the Illinois Manufacturing Extension Center.	
BUREAU OF TECHNOLOGY AND INDUSTRIAL COMPETITIVENESS REFUNDS	
Section 65. The sum of \$50,000, or so much thereof as may be necessary, is appropriated from the Federal Industrial Services Fund to the Department of Commerce and Economic Opportunity for refunds to the federal government and other refunds.	
Section 70. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:	
BUREAU OF REGIONAL ECONOMIC DEVELOPMENT OPERATIONS	
Payable from General Revenue Fund:	
For Personal Services	2,248,000
For Retirement Contributions Paid by Employer	0
For State Contributions to State	

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Employees' Retirement System	362,100
For State Contributions to Social Security	172,000
For Contractual Services	289,400
For Travel	52,800
For Commodities	5,400
For Printing	4,800
For Equipment	3,100
For Telecommunications Services	33,800
For Operation of Automotive Equipment	<u>53,800</u>
Total	\$3,225,200

Section 75. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

BUREAU OF BUSINESS DEVELOPMENT
OPERATIONS

Payable from General Revenue Fund:	
For Personal Services	1,767,400
For Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	284,700
For State Contributions to Social Security	135,300
For Contractual Services	779,100
For Travel	64,800
For Commodities	7,100
For Printing	600
For Equipment	5,300
For Telecommunications Services	59,900
For Operation of Automotive Equipment	1,800
For Advertising and Promotion	480,000
For Administrative and Related Expenses of the Illinois Women's Business Ownership Council	<u>9,600</u>
Total	\$3,595,600
Payable from Economic Research and Information Fund:	
For Purposes Set Forth in Section 605-20 of the Civil Administrative Code of Illinois (20 ILCS 605/605-20)	230,000
Payable from the Commerce and Community Assistance Fund:	
For Personal Services	777,600
For Retirement Contributions Paid by Employer	23,300
For State Contributions to State Employees' Retirement System	125,200
For State Contributions to Social Security	59,500
For Group Insurance	150,000
For Contractual Services	236,800
For Travel	76,000
For Commodities	14,800
For Printing	19,100
For Equipment	15,600
For Telecommunications Services	<u>45,400</u>
Total	\$1,543,300
Payable from Illinois Capital Revolving Loan Fund:	
For Administration and Related	

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Support Pursuant to Public Act 84-0109, as amended	1,600,000
Section 80. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:	
BUREAU OF BUSINESS DEVELOPMENT GRANTS-IN-AID	
Payable from the General Revenue Fund:	
For Small Business Development Centers, Including Prior Year Costs	2,507,500
For the Purpose of Providing Grants to Procurement Centers to Expand Participation in the Government Contracting Process and to Increase the Opportunities for Purchasing Outsourcing Among Illinois Suppliers	524,000
For grants, contracts, and administrative expenses associated with Entrepreneurship Centers, including prior year costs	<u>2,400,000</u>
Total	\$5,431,500
Payable from the Small Business Environmental Assistance Fund:	
For grants and administrative expenses of the Small Business Environmental Assistance Program	500,000
Payable from the Urban Planning Assistance Fund:	
For grants, contracts, administrative expenses and refunds associated with the U.S. Department of Defense Procurement Assistance Program, Including prior year costs	750,000
Payable from Commerce and Community Assistance Fund:	
For Small Business Development Center Including Prior Year Costs	1,800,000
For Administration and Grant Expenses Relating to Small Business Development Management and Technical Assistance, Labor Management Programs for New and Expanding Businesses, and Economic and Technological Assistance to Illinois Communities and Units of Local Government, Including Prior Year Costs	<u>4,000,000</u>
Total	\$5,800,000
Payable from the Corporate Headquarters Relocation Assistance Fund:	
For Grants Pursuant to the Corporate Headquarters Relocation Act, including prior year costs	1,000,000
Payable From the Illinois Capital Revolving Loan Fund:	
For the Purpose of Grants, Loans, and Investments in Accordance with the Provisions of Public Act 84-0109, as amended	12,886,300
Payable from the Large Business Attraction Fund:	
For the purpose of Grants, Loans, Investments, and Administrative Expenses in Accordance with Article 10 of the Build Illinois Act	5,000,000

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Payable from the Public Infrastructure Construction Loan Revolving Fund:	
For the Purpose of Grants, Loans, Investments, and Administrative Expenses in Accordance with Article 8 of the Build Illinois Act	5,000,000
Payable from Port Development Revolving Loan Fund:	
For grants and loans associated with the Port Development Revolving Loan Program Pursuant to 30 ILCS 750/9-11	4,000,000
Section 85. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:	
BUREAU OF BUSINESS DEVELOPMENT REFUNDS	
Payable from Commerce and Community Assistance Fund:	
For Refunds to the Federal Government and other refunds	50,000
Section 90. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Commerce and Economic Opportunity:	
OFFICE OF COAL DEVELOPMENT AND MARKETING GRANTS-IN-AID	
Payable from the Coal Technology Development Assistance Fund:	
For Grants, Contracts and Administrative Expenses Under the Provisions of the Illinois Coal Technology Development Assistance Act, Including Prior Years Costs	25,274,300
Section 95. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:	
ILLINOIS FILM OFFICE	
Payable from Tourism Promotion Fund:	
For Personal Services	452,300
For Employee Retirement Contributions Paid by Employer	13,600
For State Contributions to State Employees' Retirement System	72,800
For State Contributions to Social Security	34,700
For Group Insurance	96,000
For Contractual Services	180,300
For Travel	35,800
For Commodities	13,000
For Printing	20,000
For Equipment	5,000
For Telecommunications Services	19,000
For Operation of Automotive Equipment	3,400
Total	\$945,900
Section 100. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Commerce and Economic Opportunity:	
ILLINOIS TRADE OFFICE OPERATIONS	
Payable from General Revenue Fund:	
For Personal Services	1,436,800
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	231,400
For State Contributions to Social Security	109,900
For Contractual Services	1,293,900
For Travel	43,400

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For Commodities	7,600
For Printing	11,500
For Equipment	5,800
For Telecommunications Services	106,500
For Administrative and Related Expenses of the NAFTA Opportunity Centers	202,100
For all costs Associated with New and Expanding International Markets to Increase Export and Reverse Investment Opportunities for Illinois Business and Industries, Including Prior Year Costs	<u>1,155,000</u>
Total	\$4,603,900
Payable from the International and Promotional Fund:	
For Grants, Contracts, Administrative Expenses, and Refunds Pursuant to 20 ILCS 605/605-25, including Including prior year costs	717,000
Section 105. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Commerce and Economic Opportunity:	
BUREAU OF COMMUNITY DEVELOPMENT OPERATIONS	
Payable from the General Revenue Fund:	
For Personal Services	866,100
For Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	139,500
For State Contributions to Social Security	66,300
For Contractual Services	114,200
For Travel	19,400
For Commodities	3,600
For Printing	500
For Equipment	2,500
For Telecommunications Services	18,200
For Operation of Automotive Equipment	<u>3,700</u>
Total	\$1,234,000
Payable from the Federal Moderate Rehabilitation Housing Fund:	
For Personal Services	96,000
For Retirement Contributions Paid by Employer	2,900
For State Contributions to State Employees' Retirement System	15,500
For State Contributions to Social Security	7,400
For Group Insurance	24,000
For Contractual Services	12,400
For Travel	8,300
For Commodities	1,700
For Printing	300
For Equipment	6,000
For Telecommunications Services	4,700
For Operation of Automotive Equipment	<u>500</u>
Total	\$179,700
Payable from the Community Services Block Grant Fund:	
For Personal Services	541,400
For Retirement Contributions Paid	

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by Employer	16,200
For State Contributions to State Employees' Retirement System	87,200
For State Contributions to Social Security	41,500
For Group Insurance	108,000
For Contractual Services	45,700
For Travel	43,000
For Commodities	2,800
For Printing	1,000
For Equipment	22,500
For Telecommunications Services	11,500
For Operation of Automotive Equipment	<u>1,300</u>
Total	\$922,100
Payable from Community Development/Small Cities Block Grant Fund:	
For Personal Services	633,000
For Retirement Contributions Paid by Employer	19,000
For State Contributions to State Employees' Retirement System	102,000
For State Contributions to Social Security	48,500
For Group Insurance	156,000
For Contractual Services	21,200
For Travel	47,900
For Commodities	4,600
For Printing	1,300
For Equipment	13,500
For Telecommunications Services	15,000
For Operation of Automotive Equipment	1,100
For Administrative and Grant Expenses Relating to Training, Technical Assistance, and Administration of the Community Development Assistance Programs	<u>2,000,000</u>
Total	\$3,063,100
Section 110. The following named amounts, or so much thereof as may be necessary, respectively are appropriated to the Department of Commerce and Economic Opportunity:	
BUREAU OF COMMUNITY DEVELOPMENT GRANTS-IN-AID	
Payable from the General Revenue Fund:	
For Grants, Contracts and Administrative Expenses Associated with the Illinois Tomorrow Program, Including Prior Year Costs	468,000
For the Northeast DuPage Special Recreation Association	250,000
For Administrative and Grant Expenses Relating to Research, Planning, Technical Assistance, Technological Assistance and Other Financial Assistance to Assist Businesses, Communities, Regions and Other Economic Development Purposes	<u>1,132,000</u>
Total	\$1,850,000
Payable from the Agricultural Premium Fund:	
For the Ordinary and Contingent Expenses of the Rural Affairs Institute at Western Illinois University	160,000

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Payable from the Federal Moderate Rehabilitation
Housing Fund:

For Housing Assistance Payments
Including Reimbursement of Prior
Year Costs 4,000,000

Payable from the Community Services
Block Grant Fund:

For Grants to Eligible Recipients
as Defined in the Community
Services Block Grant Act, including
prior year costs 75,000,000

Payable from the Community Development
Small Cities Block Grant Fund:

For Grants to Local Units of Government
or Other Eligible Recipients as Defined
in the Community Development Act
of 1974, as amended, for Illinois Cities with
Populations Under 50,000, Including
Reimbursements for Costs in Prior Years 160,000,000

Section 115. The amount of \$624,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for such purposes in Article 3, Section 170 of Public Act 93-91, is reappropriated to the Department of Commerce and Economic Opportunity from the General Revenue Fund for the purpose of making grants to community organizations, not-for-profit corporations, or local governments linked to the development of job creation projects that would increase economic development in economically depressed areas within the state.

Section 116. The sum of \$750,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for the Western Illinois Economic Development Authority for economic development initiatives.

Section 117. The sum of \$275,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for the purpose of providing a grant to the Lincoln Foundation for Performance Excellence.

Section 118. The sum of \$400,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for the purpose of providing a grant to the Boys and Girls Club of Danville.

Section 119. The sum of \$125,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for the purpose of providing a grant to the Stephenson County Senior Center.

Section 120. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

COMMUNITY DEVELOPMENT
REFUNDS

For refunds to the Federal Government and other refunds:	
Payable from Federal Moderate Rehabilitation Housing Fund	500,000
Payable from Community Services Block Grant Fund	170,000
Payable from Community Development/ Small Cities Block Grant Fund	<u>300,000</u>
Total	<u>\$970,000</u>

Section 125. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Commerce and Economic Opportunity:

ENERGY CONSERVATION
GRANTS-IN-AID

Payable from the Alternate Fuels Fund:

For Administration and Grant Expenses
of the Ethanol Fuel Research Program,

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Including Prior Year Costs	950,000
Payable from the Renewable Energy Resources Trust Fund:	
For Grants, Loans, Investments and Administrative Expenses of the Renewable Energy Resources Program, Including Prior Year Costs	15,500,000
Payable from the Energy Efficiency Trust Fund:	
For Grants and Administrative Expenses Relating to Projects that Promote Energy Efficiency, Including Prior Year Costs	5,550,000
Payable from Institute of Natural Resources Federal Projects Grant Fund:	
For Expenses and Grants Connected with Energy Programs, Including Prior Year Costs 2,002,200	
Payable from the Federal Energy Fund:	
For Expenses and Grants Connected with the State Energy Program, Including Prior Year Costs	3,472,000
Payable from the Petroleum Violation Fund:	
For Expenses and Grants Connected with Energy Programs, Including Prior Year Costs 6,463,900	

Section 130. The following named amounts, so much thereof as may be necessary, are appropriated to the Department of Commerce and Economic Opportunity:

RECYCLING AND WASTE MANAGEMENT
OPERATIONS

Payable from the Solid Waste Management Revolving Loan Fund:	
For Grants, Loans, Investments, and Administrative Expenses pursuant to the Illinois Solid Waste Management Act, including prior year costs	1,335,000

Section 135. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Commerce and Economic Opportunity:

RECYCLING AND WASTE MANAGEMENT
GRANTS-IN-AID

Payable from the Solid Waste Management Fund:	
For Grants, Contracts and Administrative Expenses Associated with Providing Financial Assistance for Recycling and Reuse in Accordance with Section 22.15 of the Environmental Protection Act, the Illinois Solid Waste Management Act and the Solid Waste Planning and Recycling Act, including prior year costs	9,607,200
Payable from the Used Tire Management Fund:	
For Grants, Contracts and Administrative Expenses Associated with the Purposes as Provided for in Section 55.6 of the Environmental Protection Act, Including Prior Year Costs	1,500,000

Section 137. The amount of \$250,000 is appropriated from the General Revenue Fund to the Department of Commerce and Economic Opportunity for a grant to the United Business Association of Midway.

ARTICLE 42

Section 5. The sum of \$262,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Procurement Policy Board for its ordinary and contingent expenses.

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ARTICLE 43

Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Attorney General to meet the ordinary and contingent expenses of the following division of the Office of the Attorney General:

GENERAL OFFICE

For Personal Services	28,078,400
For State Contribution to State Employees' Retirement System	4,522,307
For State Contribution to Social Security	2,148,000
For Employees' Retirement Contributions Paid by Employer	503,700
For Contractual Services	2,470,000
For Travel	350,000
For Commodities	125,000
For Printing	120,000
For Equipment	375,000
For Electronic Data Processing	1,450,000
For Telecommunications	690,000
For Operation of Auto Equipment	90,000
For Operational Expenses, Office of the Inspector General	<u>300,000</u>
Total	\$41,222,407

Section 10. The sum of \$1,050,000, or so much thereof as is available for use by the Attorney General, is appropriated to the Attorney General from the Illinois Gaming Law Enforcement Fund for State law enforcement purposes.

Section 15. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the Asbestos Abatement Fund to the Attorney General to meet the ordinary and contingent expenses of the Environmental Enforcement-Asbestos Litigation Division:

ENVIRONMENTAL ENFORCEMENT-
ASBESTOS LITIGATION DIVISION

For Personal Services	1,191,000
For State Contribution to State Employees' Retirement System	191,822
For State Contribution to Social Security	91,100
For Employees' Retirement Contributions Paid by the Employer	20,300
For Group Insurance	264,000
For Contractual Services	460,000
For Travel	50,000
For Operational Expenses	<u>60,000</u>
Total	\$2,328,222

Section 20. The amount of \$3,500,000, or so much thereof as may be necessary, is appropriated from the Attorney General Court Ordered and Voluntary Compliance Payment Projects Fund to the Office of the Attorney General for use, subject to pertinent court order or agreement, in the performance of any function pertaining to the exercise of the duties of the Attorney General, including State law enforcement and public education.

Section 25. The amount of \$950,000, or so much thereof as may be necessary, is appropriated from the Illinois Charity Bureau Fund to the Office of the Attorney General to enforce the provisions of the Solicitation for Charity Act and to gather and disseminate information about charitable trustees and organizations to the public.

Section 30. The amount of \$1,000,000, or so much thereof as may be necessary, is appropriated from the Whistleblower Reward and Protection Fund to the Office of the Attorney General for State law enforcement purposes.

Section 35. The amount of \$900,000, or so much thereof as may be necessary, is appropriated from the Capital Litigation Trust Fund to the Attorney General for financial support under the Capital Crimes Litigation Act.

Section 40. The amount of \$750,000, or so much thereof as may be necessary, is appropriated from the Tobacco Settlement Recovery Fund to the Attorney General for the funding

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of a unit responsible for oversight, enforcement, and implementation of the Master Settlement Agreement entered in the case of People of the State of Illinois v. Philip Morris, et al. (Circuit Court of Cook County, No. 96L13146), for enforcement of the Tobacco Product Manufacturers' Escrow Act, and for handling remaining tobacco-related litigation.

Section 45. The amount of \$3,500,000, or so much thereof as may be necessary, is appropriated from the Attorney General's State Projects and Court Ordered Distribution Fund to the Attorney General for payment of interagency agreements, for court-ordered distributions to third parties, and, subject to pertinent court order, for performance of any function pertaining to the exercise of the duties of the Attorney General, including State law enforcement and public education.

Section 50. The amount of \$100,000, or so much thereof as may be necessary, is appropriated from the Attorney General's Grant Fund to the Office of the Attorney General to be expended in accordance with the terms and conditions upon which those funds were received.

Section 55. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes named in this Section, are appropriated to the Attorney General to meet the ordinary and contingent expenses of the Attorney General:

OPERATIONS

Payable from the Violent Crime Victims Assistance Fund:

For Personal Services	775,400
For State Contribution to State Employees' Retirement System	124,886
For State Contribution to Social Security For Employees' Retirement Contributions Paid by the Employer	59,800
For Group Insurance	14,100
For Operational Expenses, Crime Victims Services Division	204,000
For Operational Expenses, Automated Victim Notification System	130,000
For Awards and Grants under the Violent Crime Victims Assistance Act	800,000
Total	<u>7,300,000</u> \$8,908,186

Section 60. The amount of \$280,000, or so much thereof as may be necessary, is appropriated from the Child Support Administrative Fund to the Office of the Attorney General for child support enforcement purposes.

Section 65. The amount of \$3,000,000, or so much thereof as may be necessary, is appropriated from the Attorney General Federal Grant Fund to the Office of the Attorney General for funding for federal grants.

Section 70. The amount of \$500,000, or so much thereof as may be necessary, is appropriated from the Sex Offender Management Board Fund to the Sex Offender Management Board for the purposes authorized by the Sex Offender Management Board Act including, but not limited to, sex offender evaluation, treatment, and monitoring programs and grants. Funding received from private sources is to be expended in accordance with the terms and conditions placed upon the funding.

Section 75. The amount of \$50,000, or so much thereof as may be necessary, is appropriated from the Statewide Grand Jury Prosecution Fund to the Office of the Attorney General for expenses incurred in criminal prosecutions arising under the Statewide Grand Jury Act.

ARTICLE 44

Section 5. The following named amounts, or so much of those amounts as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Office of the Secretary of State to meet the ordinary, contingent, and distributive expenses of the following organizational units of the Office of the Secretary of State:

EXECUTIVE GROUP

For Personal Services:

For Regular Positions:

Payable from General Revenue Fund	4,379,400
Payable from Securities Audit	

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	and Enforcement Fund	262,000
	For Extra Help:	
	Payable from General Revenue Fund	39,100
	For Employee Contribution to State Employees' Retirement System:	
Fund	Payable from General Revenue	2,446,200
	Payable from Road Fund	3,345,400
	Payable from Securities Audit and Enforcement Fund	10,500
	Payable from Vehicle Inspection Fund	47,700
	For State Contribution to State Employees' Retirement System:	
	Payable from General Revenue Fund	705,300
	Payable from Securities Audit and Enforcement Fund	42,200
	For State Contribution to Social Security:	
	Payable from General Revenue Fund	337,000
	Payable from Securities Audit and Enforcement Fund	20,000
	For Group Insurance:	
	Payable from Securities Audit and Enforcement Fund	48,000
	For Contractual Services:	
	Payable from General Revenue Fund	616,600
	For Travel Expenses:	
	Payable from General Revenue Fund	74,000
	For Commodities:	
	Payable from General Revenue Fund	27,300
	For Printing:	
	Payable from General Revenue Fund	11,900
	For Equipment:	
	Payable from General Revenue Fund	9,400
	For Telecommunications:	
	Payable from General Revenue Fund	156,400
	GENERAL ADMINISTRATIVE GROUP	
	For Personal Services:	
	For Regular Positions:	
	Payable from General Revenue Fund	44,573,000
	Payable from Road Fund	0
	Payable from Lobbyist Registration Fund	243,400
	Payable from Registered Limited Liability Partnership Fund	62,800
	Payable from Securities Audit and Enforcement Fund	3,070,700
	Payable from Division of Business Services	

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Special Operations Fund	1,253,100
For Extra Help:	
Payable from General Revenue Fund	871,800
Payable from Road Fund	0
Payable from Securities Audit and Enforcement Fund	13,800
Payable from Division of Business Services Special Operations Fund	129,600
For Employee Contribution to State Employees' Retirement System:	
Payable from Lobbyist Registration Fund	9,700
Payable from Registered Limited Liability Partnership Fund	2,500
Payable from Securities Audit and Enforcement Fund	122,800
Payable from Division of Business Services Special Operations Fund	55,300
For State Contribution to State Employees' Retirement System:	
Payable from General Revenue Fund	7,178,900
Payable from Road Fund	0
Payable from Lobbyist Registration Fund	39,200
Payable from Registered Limited Liability Partnership Fund	10,100
Payable from Securities Audit and Enforcement Fund	494,600
Payable from Division of Business Services Special Operations Fund	201,800
For State Contribution to Social Security:	
Payable from General Revenue Fund	3,469,700
Payable from Road Fund	0
Payable from Lobbyist Registration Fund	31,800
Payable from Registered Limited Liability Partnership Fund	4,800
Payable from Securities Audit and Enforcement Fund	236,300
Payable from Division of Business Services Special Operations Fund	128,400
For Group Insurance:	
Payable from Lobbyist Registration Fund	72,000
Payable from Registered Limited Liability Partnership Fund	24,000
Payable from Securities Audit and Enforcement Fund	684,000
Payable from Division of Business Services Special Operations Fund	480,000
For Contractual Services:	
Payable from General Revenue Fund	13,742,800
Payable from Road Fund	1,240,200
Payable from Motor Fuel Tax Fund	440,000

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Payable from Lobbyist Registration Fund	72,000
Payable from Registered Limited Liability Partnership Fund	600
Payable from Securities Audit and Enforcement Fund	1,019,400
Payable from Division of Business Services Special Operations Fund	502,600
For Travel Expenses:	
Payable from General Revenue Fund	362,900
Payable from Road Fund	0
Payable from Lobbyist Registration Fund	1,000
Payable from Securities Audit and Enforcement Fund	35,000
Payable from Division of Business Services Special Operations Fund	35,500
For Commodities:	
Payable from General Revenue Fund	858,700
Payable from Road Fund	0
Payable from Lobbyist Registration Fund	1,000
Payable from Registered Limited Liability Partnership Fund	900
Payable from Securities Audit and Enforcement Fund	20,300
Payable from Division of Business Services Special Operations Fund	79,900
For Printing:	
Payable from General Revenue Fund	486,300
Payable from Road Fund	0
Payable from Lobbyist Registration Fund	1,000
Payable from Securities Audit and Enforcement Fund	16,000
Payable from Division of Business Services Special Operations Fund	65,600
For Equipment:	
Payable from General Revenue Fund	412,300
Payable from Road Fund	0
Payable from Lobbyist Registration Fund	3,000
Payable from Registered Limited Liability Partnership Fund	0
Payable from Securities Audit and Enforcement Fund	120,000
Payable from Division of Business Services Special Operations Fund	20,000
For Electronic Data Processing:	
Payable from General Revenue Fund	0
Payable from Road Fund	0
Payable from the Secretary of State Special Services Fund	8,045,000
For Telecommunications:	
Payable from General Revenue	

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Fund	401,800
Payable from Road Fund	0
Payable from Lobbyist Registration Fund	1,000
Payable from Registered Limited Liability Partnership Fund	600
Payable from Securities Audit and Enforcement Fund	84,100
Payable from Division of Business Services Special Operations Fund	103,400
For Operation of Automotive Equipment:	
Payable from General Revenue Fund	400,700
Payable from Securities Audit and Enforcement Fund	16,400
Payable from Division of Business Services Special Operations Fund	45,100
For Refunds:	
Payable from General Revenue Fund	14,000
Payable from Road Fund	2,674,200
MOTOR VEHICLE GROUP	
For Personal Services:	
For Regular Positions:	
Payable from General Revenue Fund	11,202,900
Payable from Road Fund	76,553,200
Payable from the Secretary of State Special License Plate Fund	443,900
Payable from Motor Vehicle Review Board Fund	177,100
Payable from Vehicle Inspection Fund	1,158,700
For Extra Help:	
Payable from General Revenue Fund	109,000
Payable from Road Fund	5,405,400
Payable from Vehicle Inspection Fund	34,400
For Employees Contribution to State Employees' Retirement System:	
Payable from the Secretary of State Special License Plate Fund	17,800
Payable from Motor Vehicle Review Board Fund	7,100
For State Contribution to State Employees' Retirement System:	
Payable from General Revenue Fund	1,804,300
Payable from Road Fund	12,329,700
Payable from the Secretary of State Special License Plate Fund	71,500
Payable from Motor Vehicle Review Board Fund	28,500
Payable From Vehicle Inspection Fund	186,600
For State Contribution to Social Security:	
Payable from General Revenue Fund	867,400

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Payable from Road Fund	5,715,700
Payable from the Secretary of State Special License Plate Fund	33,500
Payable from Motor Vehicle Review Board Fund	13,500
Payable from Vehicle Inspection Fund	98,100
For Group Insurance:	
Payable from the Secretary of State Special License Plate Fund	168,000
Payable From Motor Vehicle Review Board Fund	12,000
Payable from Vehicle Inspection Fund	438,000
For Contractual Services:	
Payable from General Revenue Fund	2,392,200
Payable from Road Fund	12,724,200
Payable from CDLIS AAMVANET Trust Fund	575,000
Payable from the Secretary of State Special License Plate Fund	50,100
Payable from Motor Vehicle Review Board Fund	71,800
Payable from Vehicle Inspection Fund	669,700
For Travel Expenses:	
Payable from General Revenue Fund	101,400
Payable from Road Fund	594,900
Payable from the Secretary of State Special License Plate Fund	600
Payable from Motor Vehicle Review Board Fund	800
Payable from Vehicle Inspection Fund	800
For Commodities:	
Payable from General Revenue Fund	78,100
Payable from Road Fund	2,629,600
Payable from the Secretary of State Special License Plate Fund	400,000
Payable from Motor Vehicle Review Board Fund	500
Payable from Vehicle Inspection Fund	26,500
For Printing:	
Payable from General Revenue Fund	703,200
Payable from Road Fund	2,444,500
Payable from the Secretary of State Special License Plate Fund	50,000
Payable from Motor Vehicle Review Board Fund	0
Payable from Vehicle Inspection Fund	64,100
For Equipment:	
Payable from General Revenue Fund	0

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Payable from Road Fund	450,000
Payable from CDLIS/AAMVANET Fund	488,800
Payable from the Secretary of State Special License Plate Fund	0
Payable from Motor Vehicle Review Board Fund	900
Payable from Vehicle Inspection Fund	8,000
For Telecommunications:	
Payable from General Revenue Fund	91,500
Payable from Road Fund	2,128,200
Payable from the Secretary of State Special License Plate Fund	83,300
Payable from Motor Vehicle Review Board Fund	700
Payable from Vehicle Inspection Fund	3,800
For Operation of Automotive Equipment:	
Payable from Road Fund	453,500

Section 10. The following amount, or so much of this amount as may be necessary, respectively, is appropriated to the Office of the Secretary of State for any operations, alterations, rehabilitation, and nonrecurring repairs and maintenance of the interior and exterior of the various buildings and facilities under the jurisdiction of the Office of the Secretary of State, including sidewalks, terraces, and grounds and all labor, materials, and other costs incidental to the above work:

From General Revenue Fund	450,000
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Section 20. The sum of \$589,000, or so much of this amount as may be necessary and remains unexpended on June 30, 2004 from appropriations heretofore made for such purposes in Section 110 of Article 13 of Public Act 93-0091, is reappropriated from the Capital Development Fund to the Office of the Secretary of State for new construction and alterations, and maintenance of the interiors and exteriors of the following facilities under the jurisdiction of the Secretary of State: Chicago West Facility, 5301 N. Lexington Ave., Chicago, Illinois 60644; Roger McAuliffe Facility, 5401 N. Elston Ave., Chicago, Illinois 60630; Charles Chew Jr. Facility, 9901 S. King Drive, Chicago, Illinois 60628; and Capitol Complex buildings located in Springfield, Illinois.

Section 25. The amount of \$208,100, or so much thereof as may be necessary, is appropriated from the State Parking Facility Maintenance Fund to the Secretary of State for the maintenance of parking facilities owned or operated by the Secretary of State.

Section 30. The following amounts, or so much of these amounts as may be necessary, respectively, are appropriated to the Office of the Secretary of State for the following purposes: For annual equalization grants, per capita and area grants, and per capita grants to public libraries, under Section 8 of the Illinois Library System Act. This amount is in addition to any amount otherwise appropriated to the Office of the Secretary of State:

From General Revenue Fund	16,668,400
From Live and Learn Fund	16,004,200

Section 35. The following amounts, or so much of these amounts as may be necessary, respectively, are appropriated to the Office of the Secretary of State for library services for the blind and physically handicapped:

From General Revenue Fund	2,427,200
From Live and Learn Fund	300,000

Section 40. The following amounts, or so much of these amounts as may be necessary, respectively, are appropriated to the Office of the Secretary of State for the following purposes: For annual per capita grants to all school districts of the State for the establishment and operation of qualified school libraries or the additional support of existing qualified school libraries under Section 8.4 of the Illinois Library System Act. This amount is in addition to any amount otherwise appropriated to the Office of the Secretary of State:

From General Revenue Fund	375,000
From Live and Learn Fund	1,025,000

Section 45. The following amount, or so much of this amount as may be necessary, is

appropriated to the Office of the Secretary of State for grants to library systems for library computers and new technologies to promote and improve interlibrary cooperation and resource sharing programs among Illinois libraries:

From Live and Learn Fund	500,000
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Section 50. The following amounts, or so much of these amounts as may be necessary, are appropriated to the Office of the Secretary of State for annual library technology grants and for direct purchase of equipment and services that support library development and technology advancement in libraries statewide:

From General Revenue Fund	644,900
From Live and Learn Fund	700,000
From Secretary of State Special Services Fund	<u>1,600,000</u>
Total	\$2,944,900

Section 55. The following amount, or so much of this amount as may be necessary, is appropriated to the Office of the Secretary of State from the Live and Learn Fund for the purpose of making grants to libraries for construction and renovation as provided in Section 8 of the Illinois Library System Act. This amount is in addition to any amount otherwise appropriated to the Office of the Secretary of State:

From Live and Learn Fund	370,800
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Section 60. The amount of \$1,825,000, or so much of this amount as may be necessary and remains unexpended on June 30, 2004 from appropriations heretofore made for such purposes in Section 70 and Section 80 of Article 13 of Public Act 93-0091, is reappropriated from the Live and Learn Fund to the Office of the Secretary of State for the purpose of making grants to libraries for construction and renovation as provided by Section 8 of the Illinois Library System Act.

Section 65. The sum of \$100,000, or so much of this amount as may be necessary and remains unexpended on June 30, 2004 from appropriations heretofore made for such purposes in Section 105 of Article 13 of Public Act 93-0091, is reappropriated from the Capital Development Fund to the Office of the Secretary of State for a grant to the Chicago Public Library for planning a new library for Grand Crossing.

Section 70. The amount of \$100,000, or so much of this amount as may be necessary and remains unexpended on June 30, 2002 from appropriations heretofore made for such purposes in Section 110 of Article 21 of Public Act 92-8, is reappropriated from the Capital Development Fund to the Office of the Secretary of State for making grants to the Chicago Library System for land acquisition, planning, construction, reconstruction, rehabilitation, and all necessary costs associated with the establishment of a regional library.

Section 80. The following amounts, or so much of these amounts as may be necessary, respectively, are appropriated to the Office of the Secretary of State for the following purposes: For library services under the Federal Library Services and Technology Act, P.L. 104-208, as amended; and the National Foundation on the Arts and Humanities Act of 1965, P.L. 89-209. These amounts are in addition to any amounts otherwise appropriated to the Office of the Secretary of State:

From Federal Library Services Fund:	8,454,500
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Section 85. The following amounts, or so much of these amounts as may be necessary, respectively, are appropriated to the Office of the Secretary of State for support and expansion of the Literacy Programs administered by education agencies, libraries, volunteers, or community based organizations or a coalition of any of the above:

From General Revenue Fund	4,650,000
From Live and Learn Fund	500,000
From Federal Library Services Fund:	
From LSTA Title IA	1,000,000
From Secretary of State Special Services Fund	1,300,000

Section 90. The following amount, or so much of this amount as may be necessary, is appropriated to the Office of the Secretary of State for tuition and fees for Illinois Archival Depository System Interns:

From General Revenue Fund	45,000
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Section 95. The sum of \$250,000, or so much of this amount as may be necessary, is appropriated from the General Revenue Fund to the Office of the Secretary of State for the Penny Severns Summer Family Literacy Grants.

Section 100. In addition to any other amounts appropriated for such purposes, the sum of

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\$1,700,000, or so much of this amount as may be necessary, is appropriated from the General Revenue Fund to the Office of Secretary of State for a grant to the Chicago Public Library.

Section 105. The sum of \$250,000, or so much of this amount as may be necessary, is appropriated from the General Revenue Fund to the Office of the Secretary of State for all expenditures and grants to libraries for the Project Next Generation Program.

Section 110. The following amount, or so much of this amount as may be necessary, is appropriated to the Office of the Secretary of State from the Live and Learn Fund for the purpose of promotion of organ and tissue donations:

From Live and Learn Fund	2,000,000
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Section 115. The sum of \$50,000, or so much of this amount as may be necessary, is appropriated from the Secretary of State Special License Plate Fund to the Office of the Secretary of State for grants to benefit Illinois Veterans Home libraries.

Section 120. The amount of \$45,000, or so much of this amount as may be necessary, is appropriated to the Office of the Secretary of State from the Master Mason Fund to provide grants to the Illinois Masonic Foundation for the Prevention of Drug and Alcohol Abuse Among Children, Inc., a not-for-profit corporation, for the purpose of providing Model Student Assistance Programs in public and private schools in Illinois.

Section 125. The amount of \$10,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Illinois Pan Hellenic Trust Fund to provide grants for charitable purposes sponsored by African-American fraternities and sororities.

Section 130. The amount of \$20,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Park District Youth Program Fund to provide grants for the Illinois Association of Park Districts: After School Programming.

Section 135. The amount of \$20,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Illinois Route 66 Heritage Project Fund to provide grants for the development of tourism, education, preservation and promotion of Route 66.

Section 140. The sum of \$45,000, or so much of this amount as may be necessary, is appropriated from the Police Memorial Committee Fund to the Office of the Secretary of State for grants to the Police Memorial Committee for maintaining a memorial statue, holding an annual memorial commemoration, and giving scholarships to children to police officers killed in the line of duty.

Section 145. The sum of \$160,000, or so much of this amount as may be necessary, is appropriated from the Mammogram Fund to the Office of the Secretary of State for grants to the Susan G. Komen Foundation for breast cancer research, education, screening, and treatment.

Section 150. The following amounts, or so much of these amounts as may be necessary, respectively, are appropriated to the Office of the Secretary of State for such purposes in Section 3-646 of the Illinois Vehicle Code (625 ILCS 5), for grants to the Regional Organ Bank of Illinois and to Mid-America Transplant Services for the purpose of promotion of organ and tissue donation awareness. These amounts are in addition to any amounts otherwise appropriated to the Office of the Secretary of State:

From Organ Donor Awareness Fund	100,000
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Section 155. The amount of \$10,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the Chicago and Northeast Illinois District Council of Carpenters Fund to provide grants for charitable purposes.

Section 160. The amount of \$10,000, or so much thereof as may be necessary, is appropriated to the Secretary of State from the U.S. Marine Corps Scholarship Fund to provide grants for scholarships for Higher Education.

Section 165. The sum of \$50,000, or so much of this amount as may be necessary, is appropriated from the Pet Overpopulation Fund to the Office of the Secretary of State for grants to humane societies to be used solely for the humane sterilization of dogs and cats in the State of Illinois.

Section 170. The amount of \$945,000, or so much of this amount as may be necessary, is appropriated from the SOS Federal Projects Fund to the Office of the Secretary of State for the cost incident to augmenting the Illinois commercial motor vehicle safety program by assuring and verifying the identity of drivers, including CDL operators, prior to licensure.

Section 175. The amount of \$273,500 or so much of this amount as may be necessary, is appropriated to the Office of the Secretary of State from the Securities Investors Education Fund for any expenses used to promote public awareness of the dangers of securities fraud.

Section 180. The amount of \$92,500, or so much of this amount as may be necessary, is

appropriated to the Office of the Secretary of State from the Secretary of State Evidence Fund for the purchase of evidence, for the employment of persons to obtain evidence, and for the payment for any goods or services related to obtaining evidence.

Section 185. The amount of \$185,000, or so much thereof as may be necessary, is appropriated from the Alternate Fuels Fund to the Office of Secretary of State for the cost of administering the Alternate Fuels Act.

Section 190. The amount of \$10,175,000, or so much of this amount as may be necessary, is appropriated from the Secretary of State Special Services Fund to the Office of the Secretary of State for office automation and technology.

Section 195. The amount of \$13,875,000, or so much of this amount as may be necessary, is appropriated from the Motor Vehicle License Plate Fund to the Office of the Secretary of State for the cost incident to providing new or replacement plates for motor vehicles.

Section 200. The sum of \$1,912,700, or so much of this amount as may be necessary, is appropriated from the Secretary of State DUI Administration Fund to the Office of Secretary of State for operation of the Department of Administrative Hearings of the Office of Secretary of State and for no other purpose.

Section 205. The amount of \$46,300, or so much thereof as may be necessary, is appropriated from the Secretary of State Police DUI Fund to the Secretary of State for the payments of goods and services that will assist in the prevention of alcohol related criminal violence throughout the state.

Section 210. The amount of \$250,000 is appropriated from the Secretary of State Police Services Fund to the Secretary of State for purposes as indicated by the grantor or contractor or, in the case of money bequeathed or granted for no specific purpose, for any purpose as deemed appropriate by the Director of Police, Secretary of State in administering the responsibilities of the Secretary of State Department of Police.

Section 215. The amount of \$231,300, or so much of this amount as may be necessary, is appropriated from the Office of the Secretary of State Grant Fund to the Office of the Secretary of State to be expended in accordance with the terms and conditions upon which such funds were received.

ARTICLE 45

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the following divisions of the State Comptroller for the Fiscal Year ending June 30, 2005:

	Administration	
For Personal Services		4,109,900
For Employee Retirement Contributions		
Paid by the Employer		0
For State Contribution to State		
Employees' Retirement System		662,000
For State Contribution to		
Social Security		314,400
For Contractual Services		1,602,000
For Travel		45,300
For Commodities		99,500
For Printing		35,000
For Equipment		12,800
For Telecommunications		241,000
For Electronic Data Processing		0
For Operation of Auto		
Equipment		<u>8,900</u>
Total		\$7,130,800
	Statewide Fiscal Operations	
For Personal Services		4,646,700
For Employee Retirement Contributions		
Paid by the Employer		0
For State Contribution to State		
Employees' Retirement System		748,400
For State Contribution to		

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Social Security	355,500
For Contractual Services	339,400
For Travel	4,300
For Commodities	20,300
For Printing	0
For Equipment	0
For Electronic Data Processing	0
Total	\$6,114,600
Electronic Data Processing	
For Personal Services	4,111,300
For Employee Retirement Contributions	
Paid by the Employer	0
For State Contribution to State	
Employees' Retirement System	662,200
For State Contribution to	
Social Security	314,500
For Contractual Services	2,211,700
For Travel	8,000
For Commodities	119,000
For Printing	338,300
For Equipment	0
For Telecommunications	0
For Electronic Data	
Processing	<u>1,584,400</u>
Total	\$9,349,400
Special Audits	
For Personal Services	1,804,100
For Employee Retirement Contributions	
Paid by the Employer	0
For State Contribution to State	
Employees' Retirement System	290,600
For State Contribution to	
Social Security	138,000
For Contractual Services	75,400
For Travel	70,500
For Commodities	2,300
For Printing	0
For Equipment	0
For Electronic Data Processing	0
For Expenses of Local Government	
Officials Training	12,500
For Contractual Services for auditing	
and assisting local governments	<u>25,000</u>
Total	\$2,418,400
Merit Commission	
For Merit Commission Expenses	93,000

Section 10. The sum of \$1,000,000, or so much thereof as may be necessary, is appropriated to the State Comptroller from the Comptroller's Administrative Fund for the discharge of duties of the office, pursuant to Public Act 89-511.

Section 15. The amount of \$50,300, or so much thereof as may be necessary, is appropriated to the State Comptroller from the State Lottery Fund for expenses in connection with the State Lottery.

Section 20. The amount of \$250,000, or so much thereof as may be necessary, is appropriated to the State Comptroller to meet the ordinary and contingent expenses for the Office of Inspector General.

ARTICLE 46

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the State Comptroller to pay the elected State officers of the Executive Branch of the State Government, at various rates prescribed by law:

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For the Governor	150,700
For the Lieutenant Governor	115,300
For the Secretary of State	133,000
For the Attorney General	133,000
For the Comptroller	115,300
For the State Treasurer	<u>115,300</u>
Total	\$762,600

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

From General Revenue Fund	
Department on Aging	
For the Director	98,200
Department of Agriculture	
For the Director	113,200
For the Assistant Director	96,100
Department of Central Management Services	
For the Director	120,900
For 2 Assistant Directors	205,600
Department of Children and Family Services	
For the Director	127,600
Department of Corrections	
For the Director	127,600
For 2 Assistant Directors	217,000
Department of Commerce and Economic Opportunities	
For the Director	120,900
For the Assistant Director	102,800
Environmental Protection Agency	
For the Director	113,200
Department of Financial and Professional Regulation	
For the Secretary	120,900
For the Director	98,200
For the Director	113,200
For the Director	105,400
Department of Human Services	
For the Secretary	127,600
For 2 Assistant Secretaries	206,100
Department of Labor	
For the Director	105,400
For the Assistant Director	96,100
For the Chief Factory Inspector	44,400
For the Superintendent of Safety Inspection and Education	48,800
Department of State Police	
For the Director	112,600
For the Assistant Director	96,100
Department of Military Affairs	
For the Adjutant General	98,200
For two Chief Assistants to the Adjutant General	167,400
Department of Natural Resources	
For the Director	113,200
For the Assistant Director	96,100
For six Mine Officers	79,800
For four Miners' Examining Officers	43,900
Illinois Labor Relations Board	
For the Chairman	88,700
For four State Labor Relations Board members	319,200

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For two Local Labor Relations Board members		159,600
	Department of Public Aid	
For the Director		120,900
For the Assistant Director		102,800
	Department of Public Health	
For the Director		127,600
For the Assistant Director		108,500
	Department of Revenue	
For the Director		120,900
For the Assistant Director		102,800
	Property Tax Appeal Board	
For the Chairman		55,000
For four members		177,300
	Department of Veterans' Affairs	
For the Director		98,200
For the Assistant Director		83,700
	Civil Service Commission	
For the Chairman		26,900
For four members		86,100
	Commerce Commission	
For the Chairman		113,900
For four members		397,700
	Court of Claims	
For the Chief Judge		55,200
For the six Judges		305,400
	State Board of Elections	
For the Chairman		49,700
For the Vice-Chairman		40,800
For six members		191,500
	Illinois Emergency Management Agency	
For the Director		98,200
For the Assistant Director		98,200
	Department of Human Rights	
For the Director		98,200
	Human Rights Commission	
For the Chairman		44,400
For twelve members		478,700
	Industrial Commission	
For the Chairman		106,400
For six members		610,800
	Liquor Control Commission	
For the Chairman		33,100
For six members		173,600
For the Secretary		32,000
For the Chairman and one member as designated by law, \$200 per diem for work on a license appeal commission		55,000
	Pollution Control Board	
For the Chairman		102,900
For four members		397,700
	Prisoner Review Board	
For the Chairman		81,500
For fourteen members of the Prisoner Review Board		1,021,300
	Secretary of State Merit Commission	
For the Chairman		14,700
For four members		43,900

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	Educational Labor Relations Board	
For the Chairman		88,700
For four members		319,200
	Department of State Police	
For five members of the State Police		
Merit Board, \$202 per diem,		
whichever is applicable in accordance		
with law, for a maximum of 100		
days each		101,000
	Department of Transportation	
For the Secretary		127,600
For the Assistant Secretary		108,500
	Office of Small Business Utility Advocate	
For the small business utility advocate		<u>0</u>
Total, General Revenue Fund	\$10,484,500	
	Office of the State Fire Marshal	
For the State Fire Marshal:		
From Fire Prevention Fund		98,200
	Illinois Racing Board	
For eleven members of the Illinois		
Racing Board, \$300 per diem to a		
maximum 10,712 as prescribed		
by law:		
From the Horse Racing Fund		117,100
	Department of Employment Security	
Payable from Title III Social Security and Employment Service Fund:		
For the Director		120,900
For five members of the Board		
of Review		<u>75,000</u>
Total		\$195,900
	Department of Financial and Professional Regulation	
Payable from Bank and Trust Company Fund:		
For the Director		115,700
Subtotals:		
General Revenue		10,484,500
Fire Prevention		98,200
Horse Racing		117,100
Bank and Trust Company Fund		115,700
Title III Social Security and		
Employment Service Fund		<u>195,900</u>
Total		\$11,011,400
Section 15. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the State Comptroller to pay certain officers of the Legislative Branch of the State Government, at the various rates prescribed by law:		
	Office of Auditor General	
For the Auditor General		112,600
For two Deputy Auditor Generals		<u>209,300</u>
Total		\$321,900
	Officers and Members of General Assembly	
For salaries of the 118 members of the House of Representatives		6,914,300
For salaries of the 59 members of the Senate		<u>3,514,800</u>
Total		\$10,429,100
For additional amounts, as prescribed		
by law, for party leaders in both		
chambers as follows:		
For the Speaker of the House,		
the President of the Senate and		
Minority Leaders of both Chambers		93,600
For the Majority Leader of the House		19,800

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For the eleven assistant majority and minority leaders in the Senate	193,000
For the twelve assistant majority and minority leaders in the House	184,200
For the majority and minority caucus chairmen in the Senate	35,100
For the majority and minority conference chairmen in the House	30,700
For the two Deputy Majority and the two Deputy Minority leaders in the House	67,300
For chairmen and minority spokesmen of standing committees in the Senate except the Rules Committee, the Committee on Committees and the Committee on the Assignment of Bills	315,800
For chairmen and minority spokesmen of standing and select committees in the House	<u>666,600</u>
Total	\$1,605,800
For per diem allowances for the members of the Senate, as provided by law	324,000
For per diem allowances for the members of the House, as provided by law	709,000
For mileage for all members of the General Assembly, as provided by law	<u>405,000</u>
Total	\$1,438,000

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the State Comptroller in connection with the payment of salaries for officers of the Executive and Legislative Branches of State Government:

For State Contribution to State Employees'

Retirement System:

From General Revenue Fund	1,740,000
From Horse Racing Fund	18,900
From Fire Prevention Fund	16,300
From Bank and Trust Company Fund	18,700
From Title III Social Security and Employment Service Fund	31,600
Savings and Residential Finance Regulatory Fund	0
Real Estate License Administration Fund	<u>0</u>
Total	\$1,825,500

For State Contribution to Social Security:

From General Revenue Fund	943,200
From Horse Racing Fund	9,000
From Fire Prevention Fund	6,900
From Bank and Trust Company Fund	7,200
From Title III Social Security and Employment Service Fund	13,000
From Savings and Residential Finance Regulatory Fund	0
From Real Estate License Administration Fund	<u>0</u>
Total	\$979,300

For Group Insurance:

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From Fire Prevention Fund	12,000
From Bank and Trust Company Fund	12,000
From Title III Social Security and Employment Service Fund	72,000
Savings and Residential Finance Regulatory Fund	0
Real Estate License Administration Fund	0
Total	\$96,000

Section 25. The amount of \$50,000, or so much thereof as may be necessary, is appropriated to the State Comptroller for contingencies in the event that any amounts appropriated in Sections 15 through 30 are insufficient and other expenses associated with the administration of Sections 15 through 30.

ARTICLE 47

Section 5. The following named amounts, or so much of those amounts as may be necessary, respectively, for the objects and purposes named in this Section, are appropriated to the Office of the State Treasurer to meet the ordinary and contingent expenses of the Office of the State Treasurer:

For Personal Services:	
From General Revenue Fund	4,537,400
From State Pensions Fund	2,565,300
For Employee Retirement Contribution (pickup)	
From General Revenue Fund	181,500
From State Pensions Fund	102,700
For State Contributions to State Employees' Retirement System:	
From General Revenue Fund	730,800
From State Pensions Fund	413,200
For State Contribution to Social Security:	
From General Revenue Fund	337,600
From State Pensions Fund	194,100
For Group Insurance from State Pensions Fund	720,000
For Contractual Services:	
From General Revenue Fund	1,016,300
From State Pensions Fund	3,021,100
For Travel:	
From General Revenue Fund	121,100
From State Pensions Fund	110,000
For Commodities:	
From General Revenue Fund	47,600
From State Pensions Fund	35,400
For Printing:	
From General Revenue Fund	25,900
From State Pensions Fund	18,900
For Equipment:	
From General Revenue Fund	56,200
From State Pensions Fund	18,900
For Electronic Data Processing:	
From General Revenue Fund	948,000
From State Pensions Fund	1,019,100
For Telecommunications Services:	
From General Revenue Fund	160,100
From State Pensions Fund	63,100
For Operation of Automotive Equipment:	
From General Revenue Fund	7,600
From State Pensions Fund	<u>2,700</u>
Total, This Section	\$16,454,600

Section 10. The amount of \$8,100,000, or so much of that amount as may be necessary, is appropriated to the State Treasurer from the Bank Services Trust Fund for the purpose of making payments to financial institutions for banking services pursuant to the State Treasurer's Bank

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Services Trust Fund Act.

Section 15. The amount of \$9,000,000, or so much of that amount as may be necessary, is appropriated to the State Treasurer from the General Revenue Fund for the purpose of making refunds of overpayments of estate tax and accrued interest on those overpayments, if any, and payment of certain statutory costs of assessment.

Section 20. The amount of \$6,000,000, or so much of that amount as may be necessary, is appropriated to the State Treasurer from the General Revenue Fund for the purpose of making refunds of accrued interest on protested tax cases.

Section 25. The amount of \$27,000,000, or so much of that amount as may be necessary, is appropriated to the State Treasurer from the Transfer Tax Collection Distributive Fund for the purpose of making payments to counties pursuant to Section 13b of the Illinois Estate and Generation-Skipping Transfer Tax Act.

Section 30. The amount of \$500,000, or so much of that amount as may be necessary, is appropriated to the State Treasurer from the Matured Bond and Coupon Fund for payment of matured bonds and interest coupons pursuant to Section 6u of the State Finance Act.

Section 35. The following named amounts, or so much of those amounts as may be necessary, respectively, for the objects and purposes named in this Section, are appropriated to the State Treasurer for the payment of interest on and retirement of State bonded indebtedness:

For payment of principal and interest on any and all bonds issued pursuant to the Anti-Pollution Bond Act, the Transportation Bond Act, the Capital Development Bond Act of 1972, the School Construction Bond Act, the Illinois Coal and Energy Development Bond Act, and the General Obligation Bond Act:

From the General Obligation Bond Retirement
and Interest Fund:

Principal	531,200,000
Interest	<u>1,088,900,000</u>
Total	\$1,620,100,000

Section 40. The amount of \$450,900, or so much thereof as may be necessary, is appropriated from the Capital Litigation Trust Fund to the State Treasurer for the State Treasurer's costs to administer the Capital Litigation Trust Fund in accordance with the Capital Crimes Litigation Act.

Section 45. The amount of \$2,691,200, or so much thereof as may be necessary, is appropriated from the Capital Litigation Trust Fund to the State Treasurer for a block grant to the Cook County Treasurer for the separate account for payment of expenses of the Cook County State's Attorney in capital cases in Cook County in accordance with the Capital Crimes Litigation Act.

Section 50. The amount of \$1,625,000, or so much thereof as may be necessary, is appropriated from the Capital Litigation Trust Fund to the State Treasurer for a block grant to the Cook County Treasurer for the separate account for payment of expenses of the Cook County Public Defender in capital cases in Cook County in accordance with the Capital Crimes Litigation Act.

Section 55. The amount of \$1,200,000, or so much thereof as may be necessary, is appropriated from the Capital Litigation Trust Fund to the State Treasurer for a block grant to the Cook County Treasurer for the separate account for payment of compensation and expenses of court appointed defense counsel, other than the Cook County Public Defender, in capital cases in Cook County in accordance with the Capital Crimes Litigation Act.

Section 60. The following named amount of \$3,000,000, or so much thereof as may be necessary, is appropriated from the Capital Litigation Trust Fund to the State Treasurer for the separate account held by the State Treasurer for payment of compensation and expenses of court appointed counsel other than Public Defenders incurred in the defense of capital cases in counties other than Cook County in accordance with the Capital Crimes Litigation Act.

Section 65. The following named amount of \$500,000, or so much thereof as may be necessary, is appropriated from the Capital Litigation Trust Fund to the State Treasurer for the separate account held by the State Treasurer for payment of expenses of Public Defenders incurred in the defense of capital cases in counties other than Cook County in accordance with the Capital Crimes Litigation Act.

Section 70. The following named amount of \$300,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the State Treasurer for operational

expenses for the Office of the Inspector General.

ARTICLE 48

Section 5. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated to the Office of the Auditor General to meet the ordinary and contingent expenses of the Office of the Auditor General, as provided in the Illinois State Auditing Act:

For Personal Services:

For Regular Positions	3,918,200
Employee Contribution to Retirement System by Employer	156,700
For State Contribution to State Employees' Retirement System	631,100
For State Contribution to Social Security	299,800
For Contractual Services	653,300
For Travel	95,000
For Commodities	20,000
For Printing	22,000
For Equipment	50,000
For Electronic Data Processing	75,000
For Telecommunications	75,000
For Operation of Auto Equipment	<u>5,000</u>
Total	\$5,968,800

Section 10. The sum of \$13,735,145, or so much of that amount as may be necessary, is appropriated to the Auditor General from the Audit Expense Fund for audits, studies, and investigations.

ARTICLE 49

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Court of Claims for its ordinary and contingent expenses:

CLAIMS ADJUDICATION

Payable from the General Revenue Fund:

For Personal Services	920,100
For State Contribution to State Employees' Retirement System	148,191
For Employee Retirement Contributions Paid by Employer	36,000
For State Contribution to Social Security	70,400
For Contractual Services	16,300
For Travel	13,000
For Commodities	7,500
For Printing	5,000
For Equipment	8,200
For Telecommunications Services	4,400
For Reimbursement for Incidental Expenses Incurred by Judges	<u>35,300</u>
Total	\$1,264,391

Section 10. The amount of \$300,000, or so much of that amount as may be necessary, is appropriated from the Court of Claims Administration and Grant Fund to the Court of Claims for administrative expenses under the Crime Victims Compensation Act.

Section 15. The amount of \$500,000, or so much of that amount as may be necessary, is appropriated from the General Revenue Fund to the Court of Claims for payment of awards solely as a result of the lapsing of an appropriation originally made from any funds held by the State Treasurer.

Section 20. The following named amounts, or so much thereof as may be necessary, are appropriated to the Court of Claims for payment of claims as follows:

For claims under the Crime Victims

 Compensation Act:

Payable from General Revenue Fund	24,000,000
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For claims other than Crime Victims:

Payable from the General Revenue Fund	10,000,000
Payable from the Road Fund	1,000,000
Payable from the DCFS Children's Services Fund	1,500,000
Payable from the State Garage Revolving Fund	50,000
Payable from the Traffic and Criminal Conviction Surcharge Fund	100,000
Payable from the Vocational Rehabilitation Fund	125,000
Total	\$36,775,000

ARTICLE 50

Section 5. The following named amounts are appropriated from the General Revenue Fund to the Court of Claims to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 96-CC-4265, Judith Herrmann. Tort, against the Department of Public Health..	\$71,789.55
No. 97-CC-2779, Margaret Glodek, Wrongful Death, against the Department of State Police	\$100,000
No. 98-CC-3134, Anne Vos. Personal Injury, against the Secretary of State.	\$25,000.00
No. 98-CC-4810, Patricia Ross, by her guardian and Next friend of Essie Ross. Personal Injury, against the Department of Human Services	\$7,500.00
No. 00-CC-2010, Danny Montley. Personal Injury, against the Department of Corrections	\$43,724.58
No. 00-CC-4663, Jonathon W. Kefer. Reimbursement, against the Department of Transportation	\$14,425.74
No. 01-CC-0330, Anita Sanders. Personal Injury, against the University of Illinois	\$34,000.00
No. 02-CC-2160, Alana Rollins. Personal Injury, against Chicago State University	\$60,000.00
No. 02-CC-3734, Sandra Rhodes Banks. Personal Injury, against the Department of Human Services	\$52,000.00
No. 02-CC4275, 18th Street Partnership. Contract, against the Secretary of State	\$200,000.00
No. 02-CC-4880, Rikki Russell, by her Father and Next Friend, Richard Russell. Personal Injury, against Southern Illinois University	\$4,000.00
No. 04-CC-0664, Elton Houston Illegal Incarceration, against the Department of Corrections	\$120,300.00
No. 04-CC-2898, Keith Ray Harris. Illegal Incarceration, against the Department of Corrections	\$154,153.43

Section 10. The following named amounts are appropriated to the Court of Claims from the Education Assistance Fund 007, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

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For payments of awards for lapsed appropriation claims less than \$50,000 \$37,012.34

Section 15. The following named amounts are appropriated to the Court of Claims from the Road Fund 011, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 92-CC-1111, Franklyn Lightbourne, Marilyn Rahming, as Admin. Of the Estate of Stephen King, a deceased minor, & Patrick Gray. Personal Injury and Wrongful Death against the Department of Transportation \$3,100,000.00

No. 00-CC-3529, Mary Ann Rabe. Personal Injury and Property Damage, against the Department of Transportation \$19,000.00

No. 02-CC-3443, Zainab Jamali. Personal Injury, against the Department of Transportation \$20,000.00

Section 20. The following named amounts are appropriated to the Court of Claims from State Fund 012, Motor Fuel Tax Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than \$50,000 \$78.37

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357 \$664.50

Section 25. The following named amounts are appropriated to the Court of Claims from State Fund 014, Food and Drug Safety Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than \$50,000 \$503.49

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357 \$87.79

Section 30. The following named amounts are appropriated to the Court of Claims from State Fund 015, Penny Severns Breast and Cervical Cancer Research Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than \$50,000 \$6,968.89

Section 35. The following named amounts are appropriated to the Court of Claims from State Fund 016, Teacher Certificate Fee Revolving Loan Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357 \$206.02

Section 40. The following named amounts are appropriated to the Court of Claims from State Fund 018, Transportation Regulatory Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357 \$3,553.66

Section 45. The following named amounts are appropriated to the Court of Claims from State Fund 022, General Professions Dedicated Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than \$50,000 \$102.86

Section 50. The following named amounts are appropriated to the Court of Claims from State Fund 039, State Boating Act Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357 \$144.22

Section 55. The following named amounts are appropriated to the Court of Claims from State Fund 040, State Parks Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments

of awards pursuant to P.A. 92-357	\$8,307.55
Section 60. The following named amounts are appropriated to the Court of Claims from State Fund 041, Wildlife and Fish Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation claims less than \$50,000	\$7,076.70
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$3,348.56
Section 65. The following named amounts are appropriated to the Court of Claims from State Fund 045, Agricultural Premium Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation claims less than \$50,000	\$52,676.96
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$62.01
Section 70. The following named amounts are appropriated to the Court of Claims from State Fund 046, Aeronautics Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$229.36
Section 75. The following named amounts are appropriated to the Court of Claims from State Fund 047, Fire Prevention Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$471.55
Section 80. The following named amounts are appropriated to the Court of Claims from Federal Fund 052, Title III Social Security and Employment Service Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation claims less than \$50,000	\$92,736.93
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$47,290.33
Section 85. The following named amounts are appropriated to the Court of Claims from State Fund 054, State Pensions Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation claims less than \$50,000	\$86.57
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$103.06
Section 90. The following named amounts are appropriated to the Court of Claims from State Fund 059, Public Utility Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation claims less than \$50,000	\$32,974.29
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$2,306.75
Section 95. The following named amounts are appropriated to the Court of Claims from Federal Fund 063, Public Health Services Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
No. 04-CC-3453 Lake County Health Department.	
Against the Department of Public Health	\$58,916.50
For payments of awards for lapsed appropriation claims less than \$50,000	\$145,792.84
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$8,311.68
Section 100. The following named amounts are appropriated to the Court of Claims from Federal Fund 065, Environmental Protection Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed	

appropriation claims less than \$50,000	\$547.08
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$3,722.95
Section 105. The following named amounts are appropriated to the Court of Claims from State Fund 072, Underground Storage Tank Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
No. 98-CC-0823 All States Environmental Services Inc. Contract, against the Environment Protection Agency. \$750,000 or such lesser sum as would conform to the final decision making an award, recommendation, or finding by the Court of Claims.	
For payments of awards for lapsed appropriation claims less than \$50,000	\$518.45
Section 110. The following named amounts are appropriated to the Court of Claims from State Fund 074, EPA Special State Projects Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation claims less than \$50,000	\$340.79
Section 115. The following named amounts are appropriated to the Court of Claims from State Fund 078, Solid Waste Management Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation claims less than \$50,000	\$329.50
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$281.27
Section 120. The following named amounts are appropriated to the Court of Claims from State Fund 091, Clean Air Act Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$181.86
Section 125. The following named amounts are appropriated to the Court of Claims from State Fund 093, Illinois State Medical Disciplinary Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation claims less than \$50,000	\$600.00
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$32.11
Section 130. The following named amounts are appropriated to the Court of Claims from State Fund 094, DCFS Training Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation claims less than \$50,000	\$17,669.40
Section 135. The following named amounts are appropriated to the Court of Claims from State Fund 129, State Gaming Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation claims less than \$50,000	\$36.84
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$8,296.76
Section 140. The following named amounts are appropriated to the Court of Claims from State Fund 141, Capital Development Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation claims less than \$50,000	\$50,793.29
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$9,374.69
Section 145. The following named amounts are appropriated to the Court of Claims from State Fund 151, Registered CPA Administration and Disciplinary Fund, to pay claims in	

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conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for	
payments of awards pursuant to P.A. 92-357	\$2,100.00
Section 150. The following named amounts are appropriated to the Court of Claims from State Fund 163, Weights and Measures Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed	
appropriation claims less than \$50,000	\$572.64
Section 155. The following named amounts are appropriated to the Court of Claims from State Fund 175, Illinois Asbestos Abatement Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
Reimburse the General Revenue Fund for	
payments of awards pursuant to P.A. 92-357	\$14.86
Section 160. The following named amounts are appropriated to the Court of Claims from State Fund 218, Professional Indirect Cost Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation	
claims less than \$50,000	\$17,402.13
Reimburse the General Revenue Fund for	
payments of awards pursuant to P.A. 92-357	\$31,310.10
Section 165. The following named amounts are appropriated to the Court of Claims from State Fund 244, Savings and Residential Finance Regulatory Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
Reimburse the General Revenue Fund for	
payments of awards pursuant to P.A. 92-357	\$25.00
Section 170. The following named amounts are appropriated to the Court of Claims from State Fund 259, Optometric Licensing and Disciplinary Committee Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed	
appropriation claims less than \$50,000	\$89.28
Section 175. The following named amounts are appropriated to the Court of Claims from State Fund 262, Mandatory Arbitration Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
Reimburse the General Revenue Fund for	
payments of awards pursuant to P.A. 92-357	\$233.00
Section 180. The following named amounts are appropriated to the Court of Claims from State Fund 270, Water Pollution Control Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation	
claims less than \$50,000	\$5,213.92
Reimburse the General Revenue Fund for	
payments of awards pursuant to P.A. 92-357	\$366.63
Section 185. The following named amounts are appropriated to the Court of Claims from State Fund 272, LaSalle Veterans' Home Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
Reimburse the General Revenue Fund for	
payments of awards pursuant to P.A. 92-357	\$62.10
Section 190. The following named amounts are appropriated to the Court of Claims from State Fund 273, Anna Veterans' Home Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
Reimburse the General Revenue Fund for	
payments of awards pursuant to P.A. 92-357	\$1,064.00
Section 195. The following named amounts are appropriated to the Court of Claims from State Fund 285, Long Term Care Monitor/Receiver Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
Reimburse the General Revenue Fund for	
payments of awards pursuant to P.A. 92-357	\$2,871.36
Section 200. The following named amounts are appropriated to the Court of Claims from State Fund 294, Used Tire Management Fund, to pay claims in conformity with awards and	

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recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for
payments of awards pursuant to P.A. 92-357 \$8,393.34

Section 205. The following named amounts are appropriated to the Court of Claims from State Fund 301, Working Capital Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation
claims less than \$50,000 \$29,810.58

Reimburse the General Revenue Fund for payments
of awards pursuant to P.A. 92-357 \$3,956.48

Section 210. The following named amounts are appropriated to the Court of Claims from State Fund 304, Statistical Services Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 04-CC-1025, BMC Software Distribution
Inc. Debt, against the Department of
Central Management Services \$64,180.40

No. 04-CC-1340, IBM Corp. Debt, against
the Department of
Central Management Services \$146,435.00

For payments of awards for lapsed appropriation
claims less than \$50,000 \$40,276.00

Reimburse the General Revenue Fund for
payments of awards pursuant to P.A. 92-357 \$13,953.22

Section 215. The following named amounts are appropriated to the Court of Claims from State Fund 312, Communications Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation
claims less than \$50,000 \$40,835.32

Reimburse the General Revenue Fund for
payments of awards pursuant to P.A. 92-357 \$9,025.74

Section 220. The following named amounts are appropriated to the Court of Claims from State Fund 336, Environmental Laboratory Certification Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed
appropriation claims less than
\$50,000 \$16.31

Section 225. The following named amounts are appropriated to the Court of Claims from State Fund 340, Public Health Services Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed
appropriation claims less than
\$50,000 \$3,113.31

Section 230. The following named amounts are appropriated to the Court of Claims from State Fund 344, Care Provider Fund for Persons with a Developmental Disability, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation
claims less than \$50,000 \$6,327.44

Reimburse the General Revenue Fund for
payments of awards pursuant to P.A. 92-357 \$60,817.78

Section 235. The following named amounts are appropriated to the Court of Claims from State Fund 363, Divisions of Corporations Special Operations Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation
claims less than \$50,000 \$5,440.76

Section 240. The following named amounts are appropriated to the Court of Claims from State Fund 372, Plumbing Licensure and Program Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation
claims less than \$50,000 \$156.35

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Reimburse the General Revenue Fund for
payments of awards pursuant to P.A. 92-357 \$111.69
Section 245. The following named amounts are appropriated to the Court of Claims from
State Fund 376, State Police Motor Vehicle Theft Prevention Trust Fund, to pay claims in
conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for
payments of awards pursuant to P.A. 92-357. \$14.00
Section 250. The following named amounts are appropriated to the Court of Claims from
State Fund 386, Appraisal Administration Fund, to pay claims in conformity with awards and
recommendations made by the Court of Claims as follows:

For payments of awards for lapsed
appropriation claims less than \$50,000 1,405.27:

Reimburse the General Revenue Fund for
payments of awards pursuant to P.A. 92-357 \$3,200.00
Section 255. The following named amounts are appropriated to the Court of Claims from
Federal Fund 408, DHS Special Purposes Trust Fund, to pay claims in conformity with awards and
recommendations made by the Court of Claims as follows:

For payments of awards for lapsed
appropriation claims less than \$50,000 \$5,200.00
Section 260. The following named amounts are appropriated to the Court of Claims from
State Fund 421, Public Aid Recoveries Trust Fund, to pay claims in conformity with awards and
recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for
payments of awards pursuant to P.A. 92-357 \$2,620.28
Section 265. The following named amounts are appropriated to the Court of Claims from
State Fund 438, Illinois State Fair Fund, to pay claims in conformity with awards and
recommendations made by the Court of Claims as follows:

For payments of awards for lapsed
appropriation claims less than \$50,000 \$370.00

Reimburse the General Revenue Fund for
payments of awards pursuant to P.A. 92-357 \$507.54
Section 270. The following named amounts are appropriated to the Court of Claims from
Federal Fund 447, GI Education Fund, to pay claims in conformity with awards and
recommendations made by the Court of Claims as follows:

For payments of awards for lapsed
appropriation claims less than \$50,000 \$54.55
Section 275. The following named amounts are appropriated to the Court of Claims from
State Fund 483, Secretary of State Special Services Fund, to pay claims in conformity with awards
and recommendations made by the Court of Claims as follows:

No. 02-CC-5221 Saber Consulting. Debt, against the Secretary of State \$55,000.00
No. 04-CC-0523, Vion Corporation.
Debt, against the Secretary of State \$286,850.00
Section 280. The following named amounts are appropriated to the Court of Claims from
Federal Fund 484, Nuclear Civil Protection Planning Fund, to pay claims in conformity with
awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for
payments of awards pursuant to P.A. 92-357 \$542.00
Section 285. The following named amounts are appropriated to the Court of Claims from
Federal Fund 488, Criminal Justice Trust Fund, to pay claims in conformity with awards and
recommendations made by the Court of Claims as follows:

No. 04-CC-2634, City of Chicago.
Debt, against the Criminal Justice
Information Authority \$50,671.64

For payments of awards for lapsed appropriation
claims less than \$50,000 \$28,567.82

Reimburse the General Revenue Fund for
payments of awards pursuant to P.A. 92-357 \$16,321.78
Section 290. The following named amounts are appropriated to the Court of Claims from
Federal Fund 495, Old Age Survivors Insurance Fund, to pay claims in conformity with awards

and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than \$50,000	\$434.85
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$6,708.00
Section 295. The following named amounts are appropriated to the Court of Claims from Federal Fund 497, Federal Civil Preparedness Administrative Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation claims less than \$50,000	\$2,076.00
Section 300. The following named amounts are appropriated to the Court of Claims from State Fund 502, Early Intervention Services Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation claims less than \$50,000	\$5,053.33
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$10,942.55
Section 305. The following named amounts are appropriated to the Court of Claims from State Fund 514, State Asset Forfeiture Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$803.52
Section 310. The following named amounts are appropriated to the Court of Claims from State Fund 523, Department of Corrections Reimbursement and Education Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
No. 04-CC-1283, DMS Pharmaceutical Group, Inc. Debt, against the Department of Corrections	\$414,402.36
For payments of awards for lapsed appropriation claims less than \$50,000	\$58,422.01
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$92.90
Section 315. The following named amounts are appropriated to the Court of Claims from State Fund 537, State Offender DNA Identification System Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation claims less than \$50,000	\$11,848.00
Section 320. The following named amounts are appropriated to the Court of Claims from State Fund 549, Illinois Charity Bureau Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$4,335.30
Section 325. The following named amounts are appropriated to the Court of Claims from State Fund 550, Supplemental Low Income Energy Assistance Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$700.00
Section 330. The following named amounts are appropriated to the Court of Claims from Federal Fund 561, SBE Federal Department of Education Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation claims less than \$50,000	\$8,019.53
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$3,435.98
Section 335. The following named amounts are appropriated to the Court of Claims from Federal Fund 566, DCFS Federal Projects Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation claims less than \$50,000	\$645.88

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Reimburse the General Revenue Fund for
 payments of awards pursuant to P.A. 92-357 \$8,850.11
 Section 340. The following named amounts are appropriated to the Court of Claims from
 State Fund 573, Petroleum Resources Revolving Fund, to pay claims in conformity with awards
 and recommendations made by the Court of Claims as follows:
 For payments of awards for lapsed
 appropriation claims less than \$50,000 87.72
 Section 345. The following named amounts are appropriated to the Court of Claims from
 State Fund 576, Pesticide Control Fund, to pay claims in conformity with awards and
 recommendations made by the Court of Claims as follows:
 Reimburse the General Revenue Fund for
 payments of awards pursuant to P.A. 92-357 \$1,047.28
 Section 350. The following named amounts are appropriated to the Court of Claims from
 State Fund 581, Juvenile Accountability Incentive Block Grant Trust Fund, to pay claims in
 conformity with awards and recommendations made by the Court of Claims as follows:
 For payments of awards for lapsed
 appropriation claims less than \$50,000 \$15,263.19
 Reimburse the General Revenue Fund for
 payments of awards pursuant to P.A. 92-357 \$48,797.00
 Section 355. The following named amounts are appropriated to the Court of Claims from
 Federal Fund 592, DHS Federal Projects Fund, to pay claims in conformity with awards and
 recommendations made by the Court of Claims as follows:
 For payments of awards for lapsed appropriation claims
 less than \$50,000 \$7,800.00
 Section 360. The following named amounts are appropriated to the Court of Claims from
 State Fund 600, Whistleblower Reward and Protection Fund, to pay claims in conformity with
 awards and recommendations made by the Court of Claims as follows:
 Reimburse the General Revenue Fund for
 payments of awards pursuant to P.A. 92-357 \$7,281.25
 Section 365. The following named amounts are appropriated to the Court of Claims from
 State Fund 611, Fund for Illinois' Future, to pay claims in conformity with awards and
 recommendations made by the Court of Claims as follows:
 No. 04-CC-1539, Village of Roscoe.
 Debt, against the Department of
 Natural Resources \$100,000.00
 No. 04-CC-1740, Bronzeville
 Children's Museum. Debt, against
 the Department of Natural Resources \$148,652.00
 Section 370. The following named amounts are appropriated to the Court of Claims from
 State Fund 614, Capital Litigation Trust Fund, to pay claims in conformity with awards and
 recommendations made by the Court of Claims as follows:
 For payments of awards for lapsed appropriation
 claims less than \$50,000 \$36,733.08
 Reimburse the General Revenue Fund for
 payments of awards pursuant to P.A. 92-357 \$1,328.99
 Section 375. The following named amounts are appropriated to the Court of Claims from
 State Fund 621, International Tourism Fund, to pay claims in conformity with awards and
 recommendations made by the Court of Claims as follows:
 Reimburse the General Revenue Fund for
 payments of awards pursuant to P.A. 92-357 \$30.35
 Section 380. The following named amounts are appropriated to the Court of Claims from
 State Fund 622, Motor Vehicle License Plate Fund, to pay claims in conformity with awards and
 recommendations made by the Court of Claims as follows:
 No. 04-CC-1098, Macon Resources.
 Debt, against the Department of
 Natural Resources \$173,848.56
 Section 385. The following named amounts are appropriated to the Court of Claims from
 State Fund 632, Horse Racing Fund, to pay claims in conformity with awards and
 recommendations made by the Court of Claims as follows:

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For payments of awards for lapsed appropriation claims less than \$50,000 \$126.72

Section 390. The following named amounts are appropriated to the Court of Claims from Federal Fund 664, Student Loan Operating Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 04-CC-0672, Diversified Collection Services, Inc. Debt, against the Illinois Student Assistance Commission \$99,951.01

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357 \$14.51

Section 395. The following named amounts are appropriated to the Court of Claims from Federal Fund 700, USDA Women, Infants and Children Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than \$50,000 \$555.33

Section 400. The following named amounts are appropriated to the Court of Claims from State Fund 708, Illinois Standardbred Breeders Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357 \$27.95

Section 405. The following named amounts are appropriated to the Court of Claims from State Fund 711, State Lottery Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357 \$4,126.56

Section 410. The following named amounts are appropriated to the Court of Claims from State Fund 718, Community Mental Health Medicaid Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than \$50,000 \$67,283.55

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357 \$63,684.76

Section 415. The following named amounts are appropriated to the Court of Claims from Federal Fund 726, Federal Industrial Services Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357 \$1,980.00

Section 420. The following named amounts are appropriated to the Court of Claims from State Fund 729, Illinois Century Network Special Purposes Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357 \$7,706.00

Section 425. The following named amounts are appropriated to the Court of Claims from State Fund 733, Tobacco Settlement Recovery Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

No. 04-CC-0648, Golin/Harris International. Debt, against the Department of Public Health \$154,250.32

No. 04-CC-2638, City of Chicago. Debt, against the Department of Public Health \$902,045.76

For payments of awards for lapsed appropriation claims less than \$50,000 \$16,315.00

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357 \$1,069.88

Section 430. The following named amounts are appropriated to the Court of Claims from State Fund 757, Child Support Administrative Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation

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claims less than \$50,000	\$39,287.75
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$9,860.61
Section 435. The following named amounts are appropriated to the Court of Claims from State Fund 763, Tourism Promotion Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
No. 04-CC-2267, BBDO Chicago, Inc. Debt, against the Illinois Student Assistance Commission	\$99,486.50
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$13,333.17
Section 440. The following named amounts are appropriated to the Court of Claims from Federal Fund 765, Federal Surface Mining Control and Reclamation Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation claims less than \$50,000	\$451.80
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$153.44
Section 445. The following named amounts are appropriated to the Court of Claims from State Fund 795, Bank and Trust Company Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
No. 02-CC-3993, John Conkright, Gregg Goodman, Joseph Koppeis, et al. Refund, against the Office of Banks and Real Estate	\$6,800.00
No. 04-CC-3663, Price Waterhouse Coopers LLP. Debt, against the Office of Banks & Real Estate	\$103,191.42
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$1,549.00
Section 450. The following named amounts are appropriated to the Court of Claims from State Fund 796, Nuclear Safety Emergency Preparedness Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation claims less than \$50,000	\$1,308.53
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$487.19
Section 455. The following named amounts are appropriated to the Court of Claims from State Fund 801, Attorney General's State Projects and Court Ordered Distribution Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation claims less than \$50,000	\$288.55
Section 460. The following named amounts are appropriated to the Court of Claims from State Fund 802, Personal Property Tax Replacement Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$1,005.00
Section 465. The following named amounts are appropriated to the Court of Claims from State Fund 821, Dram Shop Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
For payments of awards for lapsed appropriation claims less than \$50,000	\$1,169.86
Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357	\$2,856.74
Section 470. The following named amounts are appropriated to the Court of Claims from State Fund 828, Hazardous Waste Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:	
No. 97-CC-4339 Kimmins Thermal Corp. Contract, against the Environmental Protection Agency	\$70,260.30

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For payments of awards for lapsed appropriation claims less than \$50,000 \$417.94

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357 \$9,039.00
 Section 475. The following named amounts are appropriated to the Court of Claims from State Fund 850, Real Estate License Administration Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than \$50,000 \$1,129.45

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357 \$47.52
 Section 480. The following named amounts are appropriated to the Court of Claims from Federal Fund 872, Maternal and Child Health Services Block Grant Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than \$50,000 \$4,600.00

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357 \$1,788.65
 Section 485. The following named amounts are appropriated to the Court of Claims from Federal Fund 873, Preventive Health and Health Services Block Grant Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than \$50,000 \$39,000.00
 Section 490. The following named amounts are appropriated to the Court of Claims from State Fund 879, Traffic and Criminal Conviction Surcharge Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than \$50,000 \$62,754.38

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357 \$1,500.00
 Section 495. The following named amounts are appropriated to the Court of Claims from Federal Fund 883, Intra-Agency Services Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357 \$9,479.02
 Section 500. The following named amounts are appropriated to the Court of Claims from State Fund 886, Criminal Justice Information Systems Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than \$50,000 \$46,200.00

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357 \$27.66
 Section 505. The following named amounts are appropriated to the Court of Claims from Federal Fund 896, Public Health Special State Projects Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357 \$806.25
 Section 510. The following named amounts are appropriated to the Court of Claims from State Fund 903, State Surplus Property Revolving Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation claims less than \$50,000 \$776.45
 Section 515. The following named amounts are appropriated to the Court of Claims from State Fund 905, Illinois Forestry Development Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments of awards pursuant to P.A. 92-357 \$154.90
 Section 520. The following named amounts are appropriated to the Court of Claims from State Fund 906, State Police Services Fund, to pay claims in conformity with awards and

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recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for
payments of awards pursuant to P.A. 92-357 \$14.14

Section 525. The following named amounts are appropriated to the Court of Claims from State Fund 909, Illinois Wildlife Preservation Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for
payments of awards pursuant to P.A. 92-357 \$800.00

Section 530. The following named amounts are appropriated to the Court of Claims from Federal Fund 911, Juvenile Justice Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments
of awards pursuant to P.A. 92-357 \$14,270.38

Section 535. The following named amounts are appropriated to the Court of Claims from State Fund 957, Child Support Enforcement Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for
payments of awards pursuant to P.A. 92-357 \$280.70

Section 540. The following named amounts are appropriated to the Court of Claims from State Fund 962, Park and Conservation Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation
claims less than \$50,000 \$905.80

Reimburse the General Revenue Fund for payments
of awards pursuant to P.A. 92-357 \$6,600.40

Section 545. The following named amounts are appropriated to the Court of Claims from State Fund 963, Child Support Enforcement Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for
payments of awards pursuant to P.A. 92-357 \$8,274.74

Section 550. The following named amounts are appropriated to the Court of Claims from State Fund 971, Build Illinois Bond Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments
of awards pursuant to P.A. 92-357 \$733.21

Section 555. The following named amounts are appropriated to the Court of Claims from State Fund 973, Illinois Capital Revolving Loan Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for payments
of awards pursuant to P.A. 92-357 \$800.00

Section 560. The following named amounts are appropriated to the Court of Claims from State Fund 980, Manteno Veterans' Home Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation
claims less than \$50,000 \$2,397.36

Section 565. The following named amounts are appropriated to the Court of Claims from Federal Fund 991, Abandoned Mined Lands Reclamation Council Federal Trust Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

For payments of awards for lapsed appropriation
claims less than \$50,000 \$2,336.42

Section 570. The following named amounts are appropriated to the Court of Claims from State Fund 997, Insurance Financial Regulation Fund, to pay claims in conformity with awards and recommendations made by the Court of Claims as follows:

Reimburse the General Revenue Fund for
payments of awards pursuant to P.A. 92-357 \$393.75

ARTICLE 51

Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Supreme Court to pay the ordinary and contingent expenses of certain officers of the court system of Illinois as follows:

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For Personal Services:	
Judges' Salaries	123,052,500
For Travel:	
Judges of the Supreme Court	29,600
Judges of the Appellate Court	149,100
Judges of the Circuit Court	767,400
Judicial Conference and Supreme Court Committees	727,800
For State Contributions to Social Security	<u>1,996,600</u>
Total, this Section	\$126,723,000

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

For Personal Services	6,128,000
For Extra Help	0
For State Contributions to State Employees' Retirement	987,000
For State Contributions to Social Security	468,800
For Contractual Services	1,505,800
For Travel	20,000
For Commodities	56,100
For Printing	606,400
For Equipment	1,432,200
For Electronic Data Processing	128,600
For Telecommunications	136,000
For Operation of Automotive Equipment	6,600
For Permanent Improvements	<u>60,300</u>
Total, this Section	\$11,535,800

Section 15. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Supreme Court to meet the ordinary and contingent expenses of the Judges of the Appellate Courts, and the Clerks of the Appellate Courts, and the Appellate Judges Research Projects:

Administration of the First Appellate District For Personal Services	6,497,900
For State Contributions to State Employees' Retirement	1,046,500
For State Contributions to Social Security	497,000
For Contractual Services	527,300
For Travel	2,100
For Commodities	56,200
For Printing	41,400
For Equipment	139,500
For Telecommunications	<u>126,000</u>
Total	\$8,933,900
Administration of the Second Appellate District	
For Personal Services	2,663,500
For State Contributions to State Employees' Retirement	429,000
For State Contributions to Social Security	203,800
For Contractual Services	1,090,900
For Travel	4,800
For Commodities	26,400
For Printing	13,200
For Equipment	208,500
For Operation of	

Automotive Equipment	900
For Telecommunications	<u>62,500</u>
Total	\$4,703,500
Administration of the Third Appellate District	
For Personal Services	1,897,700
For Extra Help	0
For State Contributions to State Employees' Retirement	305,600
For State contributions to Social Security	145,200
For Contractual Services	791,000
For Travel	4,700
For Commodities	24,800
For Printing	20,700
For Equipment	425,500
For Telecommunications	<u>61,600</u>
Total	\$3,676,800
Administration of the Fourth Appellate District	
For Personal Services	1,993,000
For State Contributions to State Employees' Retirement	321,000
For State Contributions to Social Security	152,400
For Contractual Services	766,000
For Travel	5,800
For Commodities	12,400
For Printing	9,500
For Equipment	128,700
For Telecommunications	<u>56,000</u>
Total	\$3,444,800
Administration of the Fifth Appellate District	
For Personal Services	2,032,700
For Extra Help	0
For State Contributions to State Employees' Retirement	327,300
For State Contributions to Social Security	155,400
For Contractual Services	655,400
For Travel	5,400
For Commodities	23,200
For Printing	15,800
For Equipment	238,200
For Telecommunications	57,500
For Operation of Automotive Equipment	<u>1,200</u>
Total	\$3,512,100
Section 20. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Supreme Court for ordinary and contingent expenses of the Circuit Court:	
For Circuit Clerks' Additional Duties	663,000
For Circuit Clerks' Notification Costs	0
For Mandatory Arbitration	880,600
For Sexually Violent Persons Commitment Act	300,000
For Probation Reimbursements	58,803,400
For Personal Services:	
Official Court Reporting	29,055,000
Circuit Court Personnel	1,583,400
For State Contribution to State Employees' Retirement	4,934,600
For State Contribution	

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to Social Security	2,343,900
For Travel:	
Official Court Reporting	161,400
Circuit Court Personnel	11,800
For Contractual Services: Transcript Fees for Official Court Reporting	3,891,100
For Contractual Services	250,800
For Equipment	194,300
For Electronic Data Processing	<u>5,499,600</u>
Total, this Section	\$108,572,900

Section 25. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Supreme Court for ordinary and contingent expenses of the Administrative Office of the Illinois Courts:

For Personal Services	5,177,100
For Retirement - Paid by Employer	2,265,000
For State Contributions to State Employees' Retirement	833,800
For State Contributions to Social Security	396,100
For Contractual Services	2,646,000
For Travel	183,400
For Commodities	76,200
For Printing	104,900
For Equipment	123,500
For Electronic Data Processing	4,924,700
For Telecommunications	202,400
For Operation of Automotive Equipment	16,100
For Probation Training	391,300
For Contractual Services: Judicial Conference and Supreme Court Committees	726,300
For Judges' Out-of-State Educational Programs	60,100
For Training of Circuit Court Officers and Personnel	<u>61,500</u>
Total, this Section	\$18,188,400

Section 30. The sum of \$50,000, or so much thereof as may be necessary, is appropriated to the Supreme Court for the contingent expenses of the Illinois Courts Commission.

Section 35. The sum of \$12,300,000, or so much thereof as may be necessary, is appropriated from the Mandatory Arbitration Fund to the Supreme Court for Mandatory Arbitration Programs.

Section 40. The sum of \$112,300, or so much thereof as may be necessary, is appropriated from the Foreign Language Interpreter Fund to the Supreme Court for the Foreign Language Interpreter Program.

Section 45. The sum of \$700,000, or so much thereof as may be necessary, is appropriated from the Lawyers' Assistance Program Fund to the Supreme Court for lawyers' assistance programs.

ARTICLE 52

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Children and Family Services:

CENTRAL ADMINISTRATION PAYABLE FROM GENERAL REVENUE FUND

For Personal Services	6,831,500
For Retirement Contributions Paid By Employer	0
For Retirement Contributions	1,100,300
For State Contributions to Social Security	572,100

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For Contractual Services	3,254,600
For Travel	161,100
For Commodities	21,000
For Printing	2,000
For Equipment	9,800
For Telecommunications	241,400
For Attorney General Representation on Child Welfare Litigation Issues	<u>587,100</u>
Total	\$12,780,900

PAYABLE FROM C&FS SPECIAL PURPOSES TRUST FUND

For Private Grants for Child Welfare Improvements	<u>360,000</u>
Total	\$360,000

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services:

INSPECTOR GENERAL

PAYABLE FROM GENERAL REVENUE FUND

For Personal Services	1,153,700
For Retirement Contributions	185,800
For State Contributions to Social Security	89,700
For Contractual Services	859,700
For Travel	19,500
For Commodities	7,900
For Printing	1,000
For Equipment	1,000
For Telecommunications Services	<u>44,000</u>
Total	\$2,362,300

Section 15. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Children and Family Services:

ADMINISTRATIVE CASE REVIEW

PAYABLE FROM GENERAL REVENUE FUND

For Personal Services	5,049,000
For Retirement Contributions	813,200
For State Contributions to Social Security	386,700
For Contractual Services	68,400
For Travel	134,300
For Commodities	2,600
For Printing	500
For Equipment	4,900
For Telecommunications Services	<u>14,200</u>
Total	\$6,473,800

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Children and Family Services:

OFFICE OF QUALITY ASSURANCE

PAYABLE FROM GENERAL REVENUE FUND

For Personal Services	1,671,800
For Retirement Contributions	269,300
For State Contributions to Social Security	128,100
For Contractual Services	277,700
For Travel	139,600
For Commodities	2,300
For Printing	1,000
For Equipment	2,000

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For Telecommunications	<u>20,500</u>
Total	\$2,512,300

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services:

OPERATIONS AND COMMUNITY SERVICES
PAYABLE FROM GENERAL REVENUE FUND

For Personal Services	2,556,800
For Retirement Contributions	411,800
For State Contributions to Social Security	203,700
For Contractual Services	171,100
For Travel	141,500
For Commodities	2,300
For Printing	1,000
For Equipment	2,900
For Telecommunications Services	88,000
For Targeted Case Management	<u>8,376,700</u>
Total	\$11,955,800

PAYABLE FROM C&FS FEDERAL PROJECTS FUND

For Federal Child Welfare Projects	1,175,000
For Independent Living Initiative	10,300,000
For LAN State Board of Education	<u>1,600,000</u>
Total	\$13,075,000

Section 30. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services:

CHILD WELFARE - DOWNSTATE REGIONS
PAYABLE FROM GENERAL REVENUE FUND

For Personal Services	42,948,100
For Retirement Contributions	6,917,200
For State Contributions to Social Security	3,241,800
For Contractual Services	8,577,600
For Travel	2,277,100
For Commodities	154,900
For Printing	132,400
For Equipment	14,700
For Telecommunications Services	<u>1,837,200</u>
Total	\$66,101,000

Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services:

CHILD WELFARE - COOK REGION
PAYABLE FROM GENERAL REVENUE FUND

For Personal Services	33,953,200
For Retirement Contributions	5,468,500
For State Contributions to Social Security	2,545,000
For Contractual Services	11,510,100
For Travel	1,260,700
For Commodities	167,400
For Printing	120,000
For Equipment	24,400
For Telecommunications Services	<u>1,998,500</u>
Total	\$57,047,800

Section 40. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services:

CHILD PROTECTION ADMINISTRATION
PAYABLE FROM GENERAL REVENUE FUND

For Personal Services	6,175,400
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For Retirement Contributions	994,600
For State Contributions to Social Security	472,900
For Contractual Services	366,600
For Travel	44,000
For Commodities	12,300
For Printing	2,000
For Equipment	3,900
For Telecommunications Services	485,800
For Child Death Review Teams	<u>122,200</u>
Total	\$8,679,700

PAYABLE FROM C&FS FEDERAL PROJECTS FUND

For Federal Child Protection Projects	<u>5,292,600</u>
Total	\$5,292,600

Section 45. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services:

CHILD PROTECTION - DOWNSTATE REGIONS

PAYABLE FROM GENERAL REVENUE FUND

For Personal Services	24,192,000
For Retirement Contributions	3,896,400
For State Contributions to Social Security	1,848,600
For Travel	977,500
For Equipment	<u>9,800</u>
Total	\$30,924,300

Section 50. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services:

CHILD PROTECTION - COOK REGION

PAYABLE FROM GENERAL REVENUE FUND

For Personal Services	25,360,800
For Retirement Contributions	4,084,600
For State Contributions to Social Security	1,940,400
For Travel	337,200
For Equipment	<u>9,800</u>
Total	\$31,732,800

Section 55. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services:

SUPPORT SERVICES

PAYABLE FROM GENERAL REVENUE FUND

For Personal Services	6,724,600
For Retirement Contributions	1,083,100
For State Contributions to Social Security	532,200
For Contractual Services	5,620,600
For Travel	122,200
For Commodities	217,500
For Printing	296,200
For Equipment	5,900
For Electronic Data Processing	8,303,100
For Telecommunications Services	1,327,800
For Operation of Automotive Equipment	49,000
For Refunds	5,800
For Cook County Referral Support System	<u>247,200</u>
Total	\$24,535,200

PAYABLE FROM DCFS CHILDREN'S SERVICES FUND

For Title IV-E Reimbursement Enhancement	4,439,600
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For SSI Reimbursement	1,763,700
For AFCARS/SACWIS Information System	<u>23,536,300</u>
Total	\$29,739,600

Section 60. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services:

CLINICAL SERVICES

PAYABLE FROM GENERAL REVENUE FUND

For Personal Services	2,382,600
For Retirement Contributions	383,700
For State Contributions to Social Security	182,800
For Contractual Services	195,500
For Travel	88,000
For Commodities	2,700
For Printing	1,500
For Equipment	2,000
For Telecommunications Services	<u>59,600</u>
Total	\$3,298,400

PAYABLE FROM DCFS CHILDREN'S SERVICES FUND

For Training Department Staff	1,564,000
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OFFICE OF THE GUARDIAN

PAYABLE FROM GENERAL REVENUE FUND

For Personal Services	2,926,200
For Retirement Contributions	471,300
For State Contributions to Social Security	231,700
For Contractual Services	513,200
For Travel	70,300
For Commodities	3,700
For Printing	500
For Equipment	2,000
For Telecommunications	<u>102,600</u>
Total	\$4,321,500

PURCHASE OF SERVICE MONITORING

PAYABLE FROM GENERAL REVENUE FUND

For Personal Services	14,886,700
For Retirement Contributions	2,397,700
For State Contributions to Social Security	1,150,500
For Contractual Services	2,403,700
For Travel	41,400
For Commodities	11,500
For Printing	2,000
For Equipment	4,900
For Telecommunications	<u>122,200</u>
Total	\$21,020,600

Section 65. The following named amounts, or so much thereof as may be necessary, respectively, for payments for care of children served by the Department of Children and Family Services:

GRANTS-IN-AID

REGIONAL OFFICES

PAYABLE FROM GENERAL REVENUE FUND

For Foster Homes and Specialized Foster Care and Prevention	161,733,000
For Counseling and Auxiliary Services	8,435,300
For Institution and Group Home Care and Prevention	92,620,700
For Services Associated with the Foster	

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Care Initiative	7,613,800
For Purchase of Adoption and Guardianship Services	175,745,500
For Health Care Network	4,328,300
For Cash Assistance and Housing	
Locator Service to Families in the Class Defined in the Norman Consent Order	3,632,000
For Youth in Transition Program	858,400
For Children's Personal and Physical Maintenance	4,625,800
For MCO Technical Assistance and Program Development	1,663,500
For Pre Admission/Post Discharge Psychiatric Screening	8,071,800
For Assisting in the Development of Children's Advocacy Centers	2,169,500
For Psychological Assessments including Operations and Administrative Expenses	<u>3,211,900</u>
Total	\$474,709,500
PAYABLE FROM DCFS CHILDREN'S SERVICES FUND	
For Foster Homes and Specialized Foster Care and Prevention	137,972,200
For Counseling and Auxiliary Services	19,263,600
For Institution and Group Home Care and Prevention	92,143,300
For Assisting in the development of Children's Advocacy Centers	1,505,400
For Services Associated with the Foster Care Initiative	1,620,700
For Purchase of Adoption and Guardianship Services	121,754,000
For Family Preservation Services	20,462,500
For Purchase of Children's Services	710,000
Federal Compliance/Program Improvement Plan Implementation	19,550,000
For Family Centered Services Initiative	<u>17,476,800</u>
Total	\$432,458,500

Section 70. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Children and Family Services:

CENTRAL ADMINISTRATION

PAYABLE FROM GENERAL REVENUE FUND

For Department Scholarship Program	842,500
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Section 75. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services for:

OPERATION AND COMMUNITY SERVICES

PAYABLE FROM GENERAL REVENUE FUND

For Reimbursing Counties	<u>338,500</u>
Total	\$338,500

Section 80. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Children and Family Services for:

GRANTS-IN-AID

SUPPORT SERVICES

PAYABLE FROM GENERAL REVENUE FUND

For Tort Claims	<u>233,800</u>
Total	\$233,800

CHILD PROTECTION ADMINISTRATION

Payable from the General Revenue Fund:

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For Protective/Family Maintenance	
Day Care	19,825,400
For Day Care Infant Mortality	<u>1,251,300</u>
Total	\$21,076,700
Payable from the Child Abuse Prevention Fund:	
For Child Abuse Prevention	600,000

CLINICAL SERVICES

Payable from the DCFS Training Fund:	
For Foster Care and Adoption Care Training Services	16,052,000

ARTICLE 53

Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Public Aid for the purposes hereinafter named:

PROGRAM ADMINISTRATION

Payable from General Revenue Fund:	
For Personal Services	18,856,200
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	3,037,000
For State Contributions to Social Security	1,442,500
For Contractual Services	16,721,900
For Travel	215,800
For Commodities	808,100
For Printing	898,800
For Equipment	1,070,800
For Telecommunications Services	1,477,200
For Operation of Auto Equipment	76,100
For Deposit into General Obligation Bond Retirement and Interest Fund	<u>850,000,000</u>
Total	\$894,604,400

OFFICE OF INSPECTOR GENERAL

Payable from General Revenue Fund:	
For Personal Services	10,954,600
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	1,764,300
For State Contributions to Social Security	838,000
For Contractual Services	4,276,200
For Travel	296,300
For Equipment	<u>403,400</u>
Total	\$18,532,800

Payable from Public Aid Recoveries Trust Fund:	
For Personal Services	620,800
For Employee Retirement Contributions Paid by Employer	18,600
For State Contributions to State Employees' Retirement System	100,000
For State Contributions to Social Security	47,500
For Group Insurance	<u>153,300</u>
Total	\$940,200
Payable from Long Term Care Provider Fund:	
For Administrative Expenses	169,100

ENERGY ASSISTANCE

Payable from Energy Administration Fund:

[July 24, 2004]

For Personal Services	241,500
For Employee Retirement Contributions Paid by Employer	7,200
For State Contributions to State Employees' Retirement System	38,900
For State Contributions to Social Security	18,500
For Group Insurance	48,000
For Contractual Services	45,300
For Travel	40,100
For Commodities	2,000
For Equipment	8,700
For Telecommunications Services	6,100
For Operation of Automotive Equipment	1,000
For Administrative and Grant Expenses Relating to Training, Technical Assistance, and Administration of the Weatherization Programs	<u>250,000</u>
Total	\$707,300
Payable from Low Income Home Energy Assistance Block Grant Fund:	
For Personal Services	1,527,500
For Employee Retirement Contributions Paid by Employer	45,800
For State Contributions to State Employees' Retirement System	246,000
For State Contributions to Social Security	116,900
For Group Insurance	222,000
For Contractual Services	278,600
For Travel	117,400
For Commodities	8,100
For Printing	65,000
For Equipment	145,000
For Telecommunications Services	36,000
For Operation of Automotive Equipment	2,900
For Expenses Related to the Development and Maintenance of the LIHEAP System	<u>1,000,000</u>
Total	\$3,811,200
CHILD SUPPORT ENFORCEMENT	
Payable from Child Support Administrative Fund:	
For Personal Services	46,051,400
For Employee Retirement Contributions Paid by Employer	1,381,500
For State Contributions to State Employees' Retirement System	7,417,000
For State Contributions to Social Security	3,522,900
For Group Insurance	11,284,300
For Contractual Services	66,149,600
For Travel	630,200
For Commodities	333,500
For Printing	162,800
For Equipment	1,959,600
For Telecommunications Services	6,319,800
For Costs Related to the State Disbursement Unit	17,676,500
For Administrative Costs Related to	

[July 24, 2004]

Enhanced Collection Efforts including Paternity Adjudication Demonstration	12,829,500
For Child Support Enforcement Demonstration Projects	<u>1,500,000</u>
Total	\$177,218,600

The amount of \$31,008,000, or so much thereof as may be necessary, is appropriated to the Department of Public Aid from the General Revenue Fund for deposit into the Child Support Administrative Fund.

ATTORNEY GENERAL REPRESENTATION

Payable from General Revenue Fund:	
For Personal Services	1,456,200
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State Employees' Retirement System	234,500
For State Contributions to Social Security	111,400
For Contractual Services	332,000
For Travel	10,900
For Equipment	<u>29,600</u>
Total	\$2,174,600

PUBLIC AID RECOVERIES

Payable from Public Aid Recoveries Trust Fund:	
For Personal Services	6,523,800
For Employee Retirement Contributions	
Paid by Employer	195,700
For State Contributions to State Employees' Retirement System	1,050,700
For State Contributions to Social Security	499,100
For Group Insurance	1,468,300
For Contractual Services	17,358,800
For Travel	120,000
For Commodities	50,000
For Printing	25,000
For Equipment	973,800
For Telecommunications Services	<u>320,000</u>
Total	\$28,585,200

MEDICAL

Payable from General Revenue Fund:	
For Personal Services	23,223,200
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State Employees' Retirement System	3,740,300
For State Contributions to Social Security	1,776,600
For Contractual Services	4,395,600
For Travel	459,300
For Equipment	98,300
For Telecommunications Services	1,930,800
For Purchase of Medical Management Services	9,744,000
For Purchase of Services Relating to and costs associated with the develop- ment and implementation of an electronic Medicaid client eligibility verification system	1,660,800
For Costs Associated with the	

[July 24, 2004]

Development, Implementation and Operation of a Medical Data Warehouse	3,894,900
For Refunds of Premium Payments Received Pursuant to Section 25(a)(2) of the Children's Health Insurance Program Act	<u>96,000</u>
Total	\$51,019,800
Payable from Provider Inquiry Trust Fund:	
For expenses associated with providing access and utilization of IDPA eligibility files	1,500,000
Section 10. In addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Public Aid for Medical Assistance:	
FOR MEDICAL ASSISTANCE UNDER THE ILLINOIS PUBLIC AID CODE AND THE CHILDREN'S HEALTH INSURANCE PROGRAM ACT	
Payable from General Revenue Fund:	
For Physicians	423,537,900
For Dentists	91,587,800
For Optometrists	9,852,600
For Podiatrists	2,307,400
For Chiropractors	1,225,400
For Hospital In-Patient, Disproportionate Share and Ambulatory Care	2,004,484,600
For federally defined Institutions for Mental Diseases	112,526,100
For Supportive Living Facilities	16,392,000
For all other Skilled, Intermediate, and Other Related Long Term Care Services	696,461,000
For Community Health Centers	115,906,600
For Hospice Care	33,236,200
For Independent Laboratories	22,637,400
For Home Health Care, Therapy, and Nursing Services	41,635,300
For Appliances	52,778,300
For Transportation	70,124,600
For Other Related Medical Services and for development, implementation, and operation of managed care and children's health programs including operating and administrative costs and related distributive purposes	60,760,800
For Medicare Part A Premiums	8,611,000
For Medicare Part B Premiums	146,704,100
For Medicare Part B Premiums for Qualified Individuals under the Federal Balanced Budget Act of 1997	11,095,800
For Health Maintenance Organizations and Managed Care Entities	158,044,700
For Division of Specialized Care for Children	<u>58,994,700</u>
Total	\$4,138,904,300
In addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Aid for Medical Assistance under the Illinois Public Aid Code, the Children's Health Insurance Program Act, and the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act for Prescribed Drugs, including costs associated with the implementation and operation of the	

[July 24, 2004]

SeniorCare program:

Payable from:

General Revenue Fund	889,246,200
Drug Rebate Fund	427,000,000
Tobacco Settlement Recovery Fund	373,152,900
Medicaid Buy-In Program Revolving Fund	<u>100,000</u>
Total	\$1,689,499,100

The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Aid for the purposes hereinafter named:

FOR MEDICAL ASSISTANCE

Payable from General Revenue Fund:

For Grants for Medical Care for Persons Suffering from Chronic Renal Disease	867,300
For Grants for Medical Care for Persons Suffering from Hemophilia	5,785,400
For Grants for Medical Care for Sexual Assault Victims	1,446,400
For Grants to Altgeld Clinic	<u>385,700</u>
Total	\$8,484,800

The Department, with the consent in writing from the Governor, may reapportion not more than two percent of the total General Revenue Fund appropriations in Section 2 above among the various purposes therein enumerated.

In addition to any amounts heretofore appropriated, the amount of \$7,826,600, or so much thereof as may be necessary, is appropriated to the Department of Public Aid from the General Revenue Fund for expenses relating to the Children's Health Insurance Program Act, including payments under Section 25 (a)(1) of that Act, and related operating and administrative costs.

Section 15. In addition to any amounts heretofore appropriated, the amount of \$40,000,000, or so much thereof as may be necessary, is appropriated to the Department of Public Aid from the Family Care Fund for i) Medical Assistance payments on behalf of individuals eligible for Medical Assistance programs administered by the Department of Public Aid, and ii) pursuant to an interagency agreement, medical services and other costs associated with children's mental health programs administered by another agency of state government, including operating and administrative costs.

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Public Aid for the purposes hereinafter named:

Payable from Tobacco Settlement Recovery Fund:

For Deposit into the Medical Research and Development Fund	6,400,000
For Deposit into the Post-Tertiary Clinical Services Fund	6,400,000
For Deposit into the Independent Academic Medical Center Fund	<u>1,000,000</u>
Total	\$13,800,000

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Public Aid for the purposes hereinafter named:

FOR THE PURPOSES ENUMERATED IN THE
EXCELLENCE IN ACADEMIC MEDICINE ACT

Payable from:

Independent Academic Medical Center Fund	2,000,000
Medical Research and Development Fund	12,800,000
Post-Tertiary Clinical Services Fund	<u>12,800,000</u>
Total	\$27,600,000

Section 30. In addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Public Aid for Medical Assistance and Administrative Expenditures:

FOR MEDICAL ASSISTANCE UNDER THE ILLINOIS PUBLIC AID CODE AND THE
CHILDREN'S HEALTH INSURANCE PROGRAM ACT

Payable from Care Provider Fund for Persons

[July 24, 2004]

With A Developmental Disability:	
For Administrative Expenditures	94,200
Payable from Long Term Care Provider Fund:	
For Skilled, Intermediate, and Other Related Long Term Care Services	821,328,300
For Administrative Expenditures	<u>1,233,000</u>
Total	\$822,655,500
Payable from Hospital Provider Fund:	
For Hospitals	860,000,000
For Medical Assistance Providers	<u>36,000,000</u>
Total	\$896,000,000
Payable from Health and Human Services Medicaid Trust Fund:	
For Skilled, Intermediate, and Other Related Long Term Care Services	60,000,000
For Medical Assistance Providers	<u>124,000,000</u>
Total	\$184,000,000

Section 35. In addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Public Aid for Medical Assistance and Administrative Expenditures:

FOR MEDICAL ASSISTANCE UNDER THE ILLINOIS PUBLIC AID CODE AND THE CHILDREN'S HEALTH INSURANCE PROGRAM ACT	
Payable from County Provider Trust Fund:	
For Distributive Hospitals	1,981,119,000
For Administrative Expenditures	<u>500,000</u>
Total	\$1,981,619,000

Section 40. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Public Aid for the purposes hereinafter named:

For Refunds of Overpayments of Assessments or
Inter-Governmental Transfers Made by Providers
During the Period From July 1, 1991 through
June 30, 2004:

Payable from:	
Care Provider Fund for Persons With A Developmental Disability	1,000,000
Long Term Care Provider Fund	2,750,000
County Provider Trust Fund	<u>1,000,000</u>
Total	\$4,750,000

Section 45. The amount of \$15,000,000, or so much thereof as may be necessary, is appropriated to the Department of Public Aid from the Trauma Center Fund for adjustment payments to certain Level I and Level II trauma centers.

Section 50. The amount of \$173,400,000, or so much thereof as may be necessary, is appropriated to the Department of Public Aid from the University of Illinois Hospital Services Fund to reimburse the University of Illinois Hospital for hospital services.

Section 55. The amount of \$8,500,000, or so much thereof as may be necessary, is appropriated to the Department of Public Aid from the Juvenile Rehabilitation Services Medicaid Matching Fund for grants to the Department of Corrections and counties for court-ordered juvenile behavioral health services under the Medicaid Rehabilitation Option and the Children's Health Insurance Program Act.

Section 60. The amount of \$8,673,300, or so much thereof as may be necessary, is appropriated to the Department of Public Aid from the Medical Special Purposes Trust Fund for medical demonstration projects and costs associated with the implementation of federal Health Insurance Portability and Accountability Act mandates.

Section 65. The amount of \$240,000,000, or so much thereof as may be necessary, is appropriated to the Department of Public Aid from the Special Education Medicaid Matching Fund for grants to local education agencies for medical services eligible for federal reimbursement under Title XIX or Title XXI of the federal Social Security Act.

Section 70. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Public Aid:

[July 24, 2004]

ENERGY ASSISTANCE
GRANTS-IN-AID

Payable from Supplemental Low-Income Energy Assistance Fund:	
For Grants and Administrative Expenses Pursuant to Section 13 of the Energy Assistance Act of 1989, as Amended, Including Prior Year Costs	88,786,100
Payable from Energy Assistance Contribution Fund:	
For the Administration and Grants Expenses for Energy Assistance Programs, Including Prior Year Costs	300,000
Payable from Energy Administration Fund:	
For Grants and Technical Assistance Services for Nonprofit Community Organizations Including Reimbursement For Costs in Prior Years	17,500,000
Payable from Low Income Home Energy Assistance Block Grant Fund:	
For Grants to Eligible Recipients Under the Low Income Home Energy Assistance Act of 1981, Including Reimbursement for Costs in Prior Years 200,000,000	
Payable from Good Samaritan Energy Trust Fund:	
For Grants, Contracts and Administrative Expenses Pursuant to the Good Samaritan Energy Plan Act	500,000
Section 75. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Public Aid:	

ENERGY ASSISTANCE
REFUNDS

For refunds to the Federal Government and other refunds:	
Payable from Energy Administration Fund	300,000
Payable from Low Income Home Energy Assistance Block Grant Fund	<u>600,000</u>
Total	<u>\$900,000</u>

ARTICLE 54

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Human Services for income assistance and related distributive purposes, including such Federal funds as are made available by the Federal Government for the following purposes:

DISTRIBUTIVE ITEMS
OPERATIONS

Payable from the Special Purposes Trust Fund:	
For Personal Services	382,500
For Employee Retirement Contributions	
Paid by Employer	11,500
For Retirement Contributions	61,600
For State Contributions to Social Security	29,300
For Group Insurance	84,000
For Contractual Services	26,200
For Travel	31,500
For Commodities	9,000
For Printing	1,000
For Equipment	<u>6,000</u>

[July 24, 2004]

Total	\$642,600
DISTRIBUTIVE ITEMS GRANTS-IN-AID	
Payable from General Revenue Fund:	
For Aid to Aged, Blind or Disabled under Article III	27,352,300
For Temporary Assistance for Needy Families under Article IV and other social services	112,700,000
For Grants Associated with Child Care Services, Including Operating and Administrative Costs	398,819,100
For Emergency Assistance for Families with Dependent Children	445,700
For Funeral and Burial Expenses under Articles III, IV, and V, including prior year costs	9,650,000
For Refugees	1,658,600
For New Americans Initiative	3,000,000
For State Family and Children Assistance	1,409,500
For State Transitional Assistance	8,331,200
For Services to Non-Citizens pursuant to 305 ILCS 5/12-4.34	5,150,000
For a grant to Children's Place for costs associated with specialized child care for families affected by HIV/AIDS	752,700
For costs related to the Illinois Equal Justice Act	<u>472,900</u>
Total	\$569,742,000
<p>The Department, with the consent in writing from the Governor, may reappropriation not more than ten percent of the total appropriation of General Revenue Funds in Section 1 above "For Income Assistance and Related Distributive Purposes" among the various purposes therein enumerated, excluding Emergency Assistance for Families with Dependent Children.</p> <p>The Department, with the consent in writing from the Governor, may reappropriation not more than six percent of the appropriation "For Temporary Assistance for Needy Families under Article IV" representing savings attributable to not increasing grants due to the births of additional children to the appropriation from the General Revenue Fund in Section 39.1 in this Article for Employability Development Services.</p> <p>Section 10. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Human Services for the following purposes:</p>	
Payable from the General Revenue Fund:	
For Grants Associated with Child Care Services, Including Operating and Administrative Costs	162,205,500
For Grants Associated with the Great START Program, Including Operation and Administrative Costs	1,891,400
Payable from the Special Purposes Trust Fund:	
For Grants Associated with Child Care Services, Including Operation and administrative Costs	122,233,800
For Grants Associated with the Great START Program, Including Operation and Administrative Costs	5,200,000
For Grants Associated with Migrant Child Care Services	<u>2,500,000</u>
Total	\$294,030,700

[July 24, 2004]

Section 15. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

FIELD LEVEL OPERATIONS

Payable from General Revenue Fund:	
For Personal Services	160,569,300
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	25,861,300
For State Contributions to	
Social Security	12,282,900
For Contractual Services	43,301,800
For Travel	757,900
For Commodities	15,600
For Equipment	1,078,200
For Telecommunications Services	<u>2,792,600</u>
Total	\$246,659,700

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

ATTORNEY GENERAL REPRESENTATION

Payable from General Revenue Fund:	
For Personal Services	250,400
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	40,300
For State Contributions to	
Social Security	19,200
For Contractual Services	<u>4,100</u>
Total	\$314,000

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

TRAINING PERSONNEL

Payable from General Revenue Fund:	
For Personal Services	1,423,800
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	229,300
For State Contributions to	
Social Security	108,900
For Contractual Services	296,100
For Travel	122,800
For Equipment	2,400
For Expenses Related to Training	
Department Staff	<u>189,100</u>
Total	\$2,372,400

Section 30. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Department of Human Services:

TINLEY PARK MENTAL HEALTH CENTER

For Personal Services	15,956,500
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	2,569,900
For State Contributions to Social	
Security	1,220,600
For Contractual Services	946,800
For Travel	32,200
For Commodities	2,755,000
For Printing	11,300

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For Equipment	75,100
For Telecommunications Services	149,000
For Operation of Auto Equipment	30,100
For Expenses Related to Living Skills Program	20,700
For Costs Associated with Behavioral Health Services - Tinley Park Network	<u>174,200</u>
Total	\$23,941,400

Section 35. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenditures of the Department of Human Services:

ADMINISTRATIVE AND PROGRAM SUPPORT

Payable from General Revenue Fund:	
For Personal Services	20,973,300
For Employee Retirement Contributions	
Paid by Employer	
For Retirement Contributions	0
For State Contributions to Social Security	3,378,000
For Group Insurance	1,604,500
For Contractual Services	241,300
For Travel	14,711,000
For Commodities	282,200
For Printing	1,552,900
For Equipment	1,129,100
For Telecommunications Services	64,400
For Operation of Auto Equipment	1,566,100
For In-Service Training	202,700
For Health Insurance Portability and Accountability Act	17,600
For Ordinary and Contingent Expenses of Team Illinois	2,895,000
For Indirect Cost Principles/Interfund	0
Transfer Payable to the Vocational Rehabilitation Fund	<u>3,329,300</u>
Total	\$51,947,400
Payable from the DHS Recoveries Trust Fund:	
For Personal Services	2,732,500
For Employee Retirement Contributions	
Paid by Employer	
For Retirement Contributions	82,000
For State Contributions to Social Security	440,100
For Group Insurance	209,000
For Contractual Services	720,000
For Travel	1,537,500
For Commodities	50,000
For Printing	16,800
For Equipment	7,600
For Telecommunications Services	2,900
Total	<u>15,000</u>
Total	\$5,813,400
Payable from Vocational Rehabilitation Fund:	
For Personal Services	5,823,700
For Employee Retirement Contributions	
Paid by Employer	
For Retirement Contributions	174,700
For State Contributions to Social Security	938,000
For Group Insurance	445,500
For Contractual Services	1,434,000
For Travel	2,755,800
For Commodities	136,000
	136,500

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For Printing	37,000
For Equipment	198,600
For Telecommunications Services	226,500
For Operation of Auto Equipment	28,500
For In-Service Training	<u>366,700</u>
Total	\$12,701,500
Payable from DMH/DD Private Resources Fund:	
For Costs associated with the Health and Human Services Reform Activities funded by Private Donations from the Annie E. Casey Foundation	150,000

ADMINISTRATIVE AND PROGRAM SUPPORT
GRANTS-IN-AID

Section 40. The sum of \$3,189,300, or so much thereof as may be necessary, respectively, is appropriated from the General Revenue Fund and the sum of \$16,723,400, or so much thereof as may be necessary, respectively, is appropriated from the Mental Health Fund to the Department of Human Services for payment of workers' compensation claims.

Expenditures from appropriations for treatment and expense may be made after the Department of Human Services has certified that the injured person was employed and that the nature of the injury is compensable in accordance with the provisions of the Workers' Compensation Act or the Workers' Occupational Diseases Act, and then has determined the amount of such compensation to be paid to the injured person. Expenditures for this purpose may be made by the Department of Human Services without regard to the fiscal year in which benefit or service was rendered or cost incurred as allowable or provided by the Workers' Compensation Act or the Workers' Occupational Diseases Act.

Section 45. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services for the purposes hereinafter named:

GRANTS-IN-AID

For Tort Claims:	
Payable from General Revenue Fund	580,900
Payable from Vocational Rehabilitation Fund <u>10,000</u>	
Total	\$590,900
For Reimbursement of Employees for Work-Related Personal Property Damages:	
Payable from General Revenue Fund	12,600
For Grants Associated with Systems Change Including Operating and Administrative Costs	
Payable from the DHS Federal Projects Fund	450,000

PERMANENT IMPROVEMENTS

Section 50. The following named sums, or so much thereof as may be necessary, are appropriated from the General Revenue Fund to the Department of Human Services for repairs and maintenance, roof repairs and/or replacements and miscellaneous at the Department's various facilities and are to include capital improvements including construction, reconstruction, improvements, repairs and installation of capital facilities, cost of planning, supplies, materials, and all other expenses required for roof and other types of repairs and maintenance, capital improvements and demolition.

No contract shall be entered into or obligations incurred for any expenditures from appropriations made in this Section of the Article until after the purposes and amounts have been approved in writing by the Governor.

For Repair, Maintenance and other Capital Improvements at various facilities	
	1,595,700
For Miscellaneous Permanent Improvements	<u>250,700</u>
Total	\$1,846,400

Section 55. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Human Services as follows:

REFUNDS

Payable from General Revenue Fund	9,000
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Payable from Vocational Rehabilitation Fund	5,000
Payable from Youth Drug Abuse Prevention Fund	30,000
Payable from DHS Federal Projects Fund	25,000
Payable from USDA Women, Infants and Children Fund	200,000
Payable from Maternal and Child Health Services Block Grant Fund	5,000
Payable from Mental Health Fund	100,000
Payable from the Early Intervention Services Revolving Fund	100,000
Payable from Drug Treatment Fund	5,000
Total	\$479,000

Section 60. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Human Services for ordinary and contingent expenses:

MANAGEMENT INFORMATION SERVICES

Payable from General Revenue Fund:	
For Personal Services	14,306,600
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	2,304,200
For State Contributions to Social Security	1,094,500
For Contractual Services	20,347,400
For Travel	81,900
For Equipment	1,426,800
For Electronic Data Processing	2,490,200
For Telecommunications Services	4,914,500
Total	\$46,966,100
Payable from Vocational Rehabilitation Fund:	
For Personal Services	2,192,000
For Employee Retirement Contributions	
Paid by Employer	65,800
For Retirement Contributions	353,000
For State Contributions to Social Security	167,700
For Group Insurance	396,000
For Contractual Services	2,669,800
For Travel	50,000
For Commodities	60,600
For Printing	65,800
For Equipment	1,854,000
For Telecommunications Services	2,443,200
For Operation of Auto Equipment	2,800
Total	\$10,320,600
Payable from USDA Women, Infants and Children Fund:	
For Personal Services	539,300
For Employee Retirement Contributions	
Paid by Employer	16,200
For Retirement Contributions	86,900
For State Contributions to Social Security	41,200
For Group Insurance	96,000
For Contractual Services	325,400
For Electronic Data Processing	150,000
Total	\$1,255,000
Payable from Maternal and Child Health Services Block Grant Fund:	
For Operational Expenses Associated with Support of Maternal and	

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Child Health Programs	236,000
Payable from the Mental Health Fund:	
For Services Provided Under Contract	
to Maximize Cost Recovery	650,400

Section 65. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund for the ordinary and contingent expenditures of the Department of Human Services:

JACK MABLEY DEVELOPMENT CENTER

For Personal Services	6,876,600
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	1,107,500
For State Contributions to Social Security	526,000
For Contractual Services	1,211,400
For Travel	3,900
For Commodities	407,200
For Printing	4,700
For Equipment	26,300
For Telecommunications Services	40,100
For Operation of Automotive Equipment	<u>23,400</u>
Total	\$10,227,100

Section 70. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

ALTON MENTAL HEALTH CENTER

For Personal Services	13,899,800
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	2,238,700
For State Contributions to Social Security	1,063,300
For Contractual Services	1,548,300
For Travel	32,400
For Commodities	390,700
For Printing	15,500
For Equipment	86,900
For Telecommunications Services	120,400
For Operation of Auto Equipment	54,800
For Expenses Related to Living Skills Program	3,300
For Costs Associated with Behavioral Health Services - Alton Network	<u>4,858,000</u>
Total	\$24,312,100

Section 75. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

BUREAU OF DISABILITY DETERMINATION SERVICES

Payable from Old Age Survivors' Insurance Fund:	
For Personal Services	28,515,800
For Employee Retirement Contributions	
Paid by Employer	855,500
For Retirement Contributions	4,592,800
For State Contributions to Social Security	2,181,500
For Group Insurance	7,146,000
For Contractual Services	14,066,400
For Travel	198,000
For Commodities	379,100
For Printing	165,000

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For Equipment	1,819,900
For Telecommunications Services	1,404,700
For Operation of Auto Equipment	<u>100</u>
Total	\$61,324,800

Section 80. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Human Services:

BUREAU OF DISABILITY DETERMINATION SERVICES
GRANTS-IN-AID

For Services to Disabled Individuals:	
Payable from Old Age Survivors' Insurance	19,000,000
For SSI Advocacy Services:	
Payable from General Revenue Fund	1,967,500
Payable from the Special Purposes Trust Fund	606,000

Section 85. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

HOME SERVICES PROGRAM

Payable from General Revenue Fund:	
For Personal Services	4,454,100
For Employee Retirement Contributions Paid by Employer	0
For Retirement Contributions	717,400
For State Contribution to Social Security	340,700
For Contractual Services	141,600
For Travel	123,200
For Commodities	1,900
For Printing	3,600
For Equipment	1,000
For Telecommunications Services	<u>4,900</u>
Total	\$5,788,400

Section 90. The following named amount, or so much thereof as may be necessary, is appropriated to the Department of Human Services:

HOME SERVICES PROGRAM
GRANTS-IN-AID

For Purchase of Services of the Home Services Program, pursuant to 20 ILCS 2405/3, including operating and administrative costs:	
Payable from General Revenue Fund	350,221,800

Section 95. The following named sums, or so much thereof as may be necessary, respectively, for the purposes hereinafter named, are appropriated to the Department of Human Services for Grants-In-Aid and Purchased Care in its various regions pursuant to Sections 3 and 4 of the Community Services Act and the Community Mental Health Act:

MENTAL HEALTH/DEVELOPMENTAL DISABILITIES
GRANTS-IN-AID AND PURCHASED CARE

For Community Service Grant Programs for Persons with Mental Illness:	
Payable from General Revenue Fund	170,002,900
Payable from Community Mental Health Services Block Grant Fund	13,025,400
Payable from the DHS Federal Projects Fund	16,000,000
For Costs Associated With The Purchase and Disbursement of Psychotropic Medications for Mentally Ill Clients in the Community:	
Payable from General Revenue Fund	3,000,000
For Psychiatric Services	

North Central Network:	
Payable from General Revenue Fund	9,329,900
For Community Integrated Living Arrangements for Persons with Mental Illness:	
Payable from General Revenue Fund	37,003,200
For Supportive MI Housing:	
Payable from the General Revenue Fund	4,450,000
For Medicaid Services for Persons with Mental Illness/and KidCare Clients in fiscal year 2005 and all prior fiscal years:	
Payable from General Revenue Fund	4,944,900
Payable from Community Mental Health Medicaid Trust Fund	95,689,900
For Emergency Psychiatric Services:	
Payable from General Revenue Fund	10,311,100
For Community Service Grant Programs for Children and Adolescents with Mental Illness:	
Payable from General Revenue Fund	24,613,200
Payable from Community Mental Health Services Block Grant Fund	4,341,800
For Purchase of Care for Children and Adolescents with Mental Illness approved through the Individual Care Grant Program:	
Payable from General Revenue Fund	23,895,900
For Costs Associated with Children and Adolescent Mental Health Programs:	
Payable from General Revenue Fund	11,158,700
For Teen Suicide Prevention Including Provisions Established in Public Act 85-0928:	
Payable from Community Mental Health Services Block Grant Fund	<u>206,400</u>
Total	\$427,973,300
For Community Based Services for Persons with Developmental Disabilities at the approximate cost set forth below:	
Payable from the General Revenue Fund	545,163,000
Payable from the Mental Health Fund	<u>9,965,600</u>
Total	\$555,128,600
For Developmental Disability Quality Assurance Waiver:	
Payable from General Revenue Fund	500,000
For costs associated with the provision of Specialized Services to Persons with Developmental Disabilities:	
Payable from General Revenue Fund	9,232,200
For Family Assistance Program, the Home Based Support Services Program, and for costs associated with services for individuals with Developmental Disabilities to enable them to reside in their homes, at the approximate costs set forth below:	
Payable from the General Revenue Fund	27,930,800
For the Family Assistance Program	8,000,000

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For the Home Based Support Services Program	<u>19,930,800</u>
Total	\$37,663,000

Payments to Providers of Care for Persons with Developmental Disabilities Payable from the Health & Human Services Medicaid Trust Fund	0
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Section 100. The following named sums, or so much thereof as may be necessary, are appropriated to the Department of Human Services for the following purposes:

For costs related to Developmental Disability Community Transitions, Including Operations and Administration	2,450,000
For a Grant to the Autism Project for an Autism Diagnosis Education Program for Young Children:	
Payable from the General Revenue Fund	2,500,000
For Intermediate Care Facilities for the Mentally Retarded and Alternative Community Programs in fiscal year 2005 and in all prior fiscal years:	
Payable from the General Revenue Fund	350,768,200
Payable from the Care Provider Fund for Persons With A Developmental Disability	36,000,000
For Costs Associated with Mental Health Services for Youths in the Juvenile Justice System:	
Payable from the General Revenue Fund	1,864,300
For a Grant to the Farm Resource Center:	
Payable from the General Revenue Fund	<u>570,000</u>
Total	\$394,152,500

Section 105. The following named amount, or so much thereof as may be necessary, is appropriated to the Department of Human Services for Payments to Community Providers and Administrative Expenditures, including such Federal funds as are made available by the Federal Government for the following purpose:

Payable from the Community Mental Health and Developmental Disabilities Services Provider Participation Fee Trust Fund:	
For Community Mental Health and Developmental Services Costs Regarding Medicaid Services	500,000

Section 110. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenditures of the Department of Human Services:

INSPECTOR GENERAL

Payable from General Revenue Fund:	
For Personal Services	3,804,800
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	612,800
For State Contributions to Social Security	291,000
For Contractual Services	174,500
For Travel	170,300
For Commodities	45,400
For Equipment	141,500
For Telecommunications Services	<u>103,000</u>
Total	\$5,343,300

Section 115. The following named amounts, or so much thereof as may be necessary,

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respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Human Services:

ADDICTION PREVENTION
GRANTS-IN-AID

For Addiction Prevention and Related Services:	
Payable from General Revenue Fund	5,268,000
Payable from the Youth Alcoholism and Substance Abuse Fund	1,050,000
Payable from Alcoholism and Substance Abuse Fund	3,009,300
Payable from Prevention and Treatment of Alcoholism and Substance Abuse Block Grant Fund	<u>16,000,000</u>
Total	\$25,327,300

Section 120. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to the Department of Human Services:

ADDICTION TREATMENT
GRANTS-IN-AID

Payable from the General Revenue Fund:	
For Costs Associated with Addiction Treatment Services For Special Populations	8,793,600
For Costs Associated with Community Based Addiction Treatment to Medicaid Eligible and KidCare clients, Including Prior Year Costs	50,713,500
For Costs Associated with Community Based Addiction Treatment Services	81,483,700
For Addiction Treatment Services for DCFS clients	11,688,300
For Grants and Administrative Expenses Related to the Welfare Reform Pilot Project	<u>2,787,200</u>
Total	\$155,466,300
Payable from Illinois State Gaming Fund	
For Costs Associated with Treatment of Individuals who are Compulsive Gamblers	<u>960,000</u>
Total	\$960,000
For Addiction Treatment and Related Services:	
Payable from Prevention and Treatment of Alcoholism and Substance Abuse Block Grant Fund	57,500,000
Payable from Drug Treatment Fund	5,000,000
Payable from Youth Drug Abuse Prevention Fund	<u>530,000</u>
Total	\$63,030,000
For underwriting the cost of housing for groups of recovering individuals:	
Payable from Group Home Loan Revolving Fund	100,000
For Grants and Administrative Expenses Related to the Domestic Violence and Substance Abuse Demonstration Project:	
Payable from General Revenue Fund	641,800
For Grants and Administrative Expenses Related to Addiction Treatment and Related Services:	

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Payable from Drunk and Drugged Driving Prevention Fund	3,082,900
Payable from Alcoholism and Substance Abuse Fund	10,102,900

The Department, with the consent in writing from the Governor, may reappropriate not more than two percent of the total appropriation of General Revenue Funds in Section 15 above "Addiction Treatment" among the purposes therein enumerated.

Section 125. The sum of \$4,400,000, or so much thereof as may be necessary, and as remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for such purposes in Article 2, Section 120 of Public Act 93-0092 is reappropriated from the General Revenue Fund to the Department of Human Services for the purpose of Community Based Addiction Treatment Services to Medicaid-Eligible and KidCare Clients.

Section 130. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

CLYDE L. CHOATE MENTAL HEALTH AND DEVELOPMENTAL CENTER	
For Personal Services	24,676,000
For Employee Retirement Contributions Paid by Employer	0
For Retirement Contributions For State Contributions to Social Security	3,974,300
For Contractual Services	1,887,700
For Travel	1,899,700
For Commodities	23,900
For Printing	1,233,800
For Equipment	14,000
For Telecommunications Services	87,400
For Operation of Auto Equipment	155,300
For Expenses Related to Living Skills Program	44,000
For Costs Associated with Behavioral Health Services - Choate Network	37,400
Total	<u>41,300</u>
	\$34,074,800

Section 135. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated from General Revenue Fund to the Department of Human Services:

For Lincoln Developmental Center Operational Expenses	990,900
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Section 140. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

REHABILITATION SERVICES BUREAUS

Payable from Illinois Veterans' Rehabilitation Fund:	
For Personal Services	1,267,400
For Employee Retirement Contributions Paid by Employer	38,000
For Retirement Contributions For State Contributions to Social Security	204,100
For Group Insurance	97,000
For Travel	264,000
For Commodities	12,200
For Equipment	5,600
For Telecommunications Services	7,000
Total	<u>19,500</u>
	\$1,914,800
Payable from Vocational Rehabilitation Fund:	
For Personal Services	30,433,600
For Employee Retirement Contributions Paid by Employer	913,000
For Retirement Contributions	4,901,600

For State Contributions to Social Security	2,328,200
For Group Insurance	7,692,000
For Contractual Services	7,124,100
For Travel	1,200,000
For Commodities	306,900
For Printing	145,100
For Equipment	629,900
For Telecommunications Services	1,676,300
For Operation of Auto Equipment	5,700
For Administrative Expenses of the Statewide Deaf Evaluation Center	<u>247,800</u>
Total	\$57,604,200

Section 145. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

REHABILITATION SERVICES BUREAUS
GRANTS-IN-AID

For Case Services to Individuals:	
Payable from General Revenue Fund	9,180,300
Payable from Illinois Veterans' Rehabilitation Fund	2,413,700
Payable from State Projects Fund	15,000
Payable from Vocational Rehabilitation Fund	46,110,700
For Grants for Multiple Sclerosis:	
Payable from the Multiple Sclerosis Fund	300,000
For Implementation of Title VI, Part C of the Vocational Rehabilitation Act of 1973 as Amended--Supported Employment:	
Payable from General Revenue Fund	2,243,900
Payable from Vocational Rehabilitation Fund	1,900,000
For Small Business Enterprise Program:	
Payable from Vocational Rehabilitation Fund	3,623,700
For Case Services to Migrant Workers:	
Payable from General Revenue Fund	19,300
Payable from Vocational Rehabilitation Fund	210,000
For Grants to Independent Living Centers:	
Payable from General Revenue Fund	4,743,800
Payable from Vocational Rehabilitation Fund	2,000,000
For the Illinois Coalition for Citizens with Disabilities:	
Payable from General Revenue Fund	118,500
Payable from Vocational Rehabilitation Fund	77,200
For Lekotek Services for Children With Disabilities:	
Payable from the General Revenue Fund	579,000
For Independent Living Older Blind Grant:	
Payable from the Vocational Rehabilitation Fund	245,500
Payable from General Revenue Fund	114,300
For Independent Living Older Blind Formula	
Payable from Vocational Rehabilitation Fund	1,000,000
For Technology Related Assistance Regional Access and Mobilization Project:	
Payable from the General Revenue Fund	600,000
Project for Individuals of All Ages with Disabilities:	
Payable from the Vocational Rehabilitation Fund	<u>1,050,000</u>
Total	\$76,544,900

Section 150. The sum of \$17,000,000, or so much thereof as may be necessary, and as

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remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made for such purposes in Article 2, Section 140 of Public Act 93-0092 is reappropriated from the Vocational Rehabilitation Fund to the Department of Human Services for Case Services to Individuals.

Section 155. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

CLIENT ASSISTANCE PROJECT

Payable from Vocational Rehabilitation Fund:

For Personal Services	506,800
For Employee Retirement Contributions	
Paid by Employer	15,200
For Retirement Contributions	81,600
For State Contributions to Social Security	38,800
For Group Insurance	120,000
For Contractual Services	45,300
For Travel	38,200
For Commodities	2,700
For Printing	400
For Equipment	32,100
For Telecommunications Services	<u>12,800</u>
Total	\$893,900

Section 160. The sum of \$50,000, or so much thereof as may be necessary, is appropriated from the Vocational Rehabilitation Fund to the Department of Human Services for a grant relating to a Client Assistance Project.

Section 165. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Department of Human Services:

CHICAGO-READ MENTAL HEALTH CENTER

For Personal Services	22,331,700
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	3,596,800
For State Contributions to	
Social Security	1,708,300
For Contractual Services	2,526,500
For Travel	37,700
For Commodities	733,500
For Printing	14,600
For Equipment	64,300
For Telecommunications Services	177,800
For Operation of Auto Equipment	31,700
For Costs Associated with Behavioral	
Health Services - Chicago-Read	
Network	<u>370,200</u>
Total	\$31,593,100

Section 170. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenditures of the Department of Human Services:

PROGRAM ADMINISTRATION - DISABILITIES AND BEHAVIORAL HEALTH

Payable from General Revenue Fund:

For Personal Services	10,391,400
For Employee Retirement Contributions Paid	
by Employer	0
For Retirement Contributions	1,673,600
For State Contributions to Social Security	795,000
For Contractual Services	1,185,700
For Travel	221,900
For Commodities	19,991,200

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For Printing	28,100
For Equipment	430,200
For Telecommunications Services	159,100
For Operation of Auto Equipment	2,200
For Contractual Services:	
For Private Hospitals for	
Recipients of State Facilities	<u>925,900</u>
Total	\$35,804,300
Payable from the Prevention/Treatment - Alcoholism and Substance Abuse Block Grant Fund:	
For Personal Services	2,223,300
For Employee Retirement Contributions Paid by Employer	66,700
For Retirement Contributions	358,100
For State Contributions to Social Security	170,100
For Group Insurance	396,000
For Contractual Services	1,416,800
For Travel	200,000
For Commodities	53,800
For Printing	35,000
For Equipment	14,300
For Electronic Data Processing	300,000
For Telecommunications Services	117,800
For Operation of Auto Equipment	20,000
For Expenses Associated with the Administration of the Alcohol and Substance Abuse Prevention and Treatment Programs	215,000
For Deposit into the Group Home Loan Revolving Fund	<u>100,000</u>
Total	\$5,686,900
Payable from the Vocational Rehabilitation Fund:	
For Personal Services	699,600
For Employee Retirement Contributions Paid by Employer	21,000
For Retirement Contributions	112,700
For State Contributions to Social Security	53,500
For Group Insurance	150,000
For Contractual Services	61,000
For Travel	50,000
For Commodities	300
For Equipment	40,000
For Telecommunications Services	<u>16,900</u>
Total	\$1,205,000
Payable from the Community Mental Health Services Block Grant Fund:	
For Personal Services	517,200
For Employee Retirement Contributions Paid by Employer	15,500
For Retirement Contributions	83,300
For State Contributions to Social Security	39,600
For Group Insurance	120,000
For Contractual Services	180,100
For Travel	10,000
For Commodities	5,000
For Equipment	<u>5,000</u>
Total	\$975,700
Payable from the DHS Federal Projects Fund:	

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For Federally Assisted Programs	5,949,200
Payable from the Mental Health Fund:	
For Costs Related to Provision of Support Services Provided to Departmental and Non-Departmental Organizations	4,770,200
Payable from the Youth Alcoholism and Substance Abuse Prevention Fund:	
For Deposit into the Fund Which Receives All Payments Under Section 5-3 of Act for Alcoholic Liquors	150,000
Payable from the Rehabilitation Services Elementary and Secondary Education Act Fund:	
For Federally Assisted Programs	1,350,000
Section 175. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Human Services:	
SEXUALLY VIOLENT PERSONS PROGRAM	
Payable from General Revenue Fund:	
For Sexually Violent Persons Program	18,988,900
Section 180. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund for the ordinary and contingent expenditures of the Department of Human Services:	
H. DOUGLAS SINGER MENTAL HEALTH AND DEVELOPMENTAL CENTER	
For Personal Services	8,868,600
For Employee Retirement Contributions Paid by Employer	0
For Retirement Contributions	1,428,400
For State Contributions to Social Security	678,500
For Contractual Services	2,294,400
For Travel	7,600
For Commodities	396,000
For Printing	10,300
For Equipment	27,500
For Telecommunications Services	86,300
For Operation of Auto Equipment	19,400
For Expenses Related to Living Skills Program	3,800
For Costs Associated with Behavioral Health Services - Singer Network	38,200
Total	\$13,859,000
Section 185. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:	
ANN M. KILEY DEVELOPMENTAL CENTER	
For Personal Services	19,012,300
For Employee Retirement Contributions Paid by Employer	0
For Retirement Contributions	3,062,100
For State Contributions to Social Security	1,473,300
For Contractual Services	2,037,500
For Travel	10,100
For Commodities	916,600
For Printing	14,900
For Equipment	35,300
For Telecommunications Services	114,900

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For Operation of Auto Equipment	69,100
For Expenses Related to Living Skills Program	<u>13,500</u>
Total	\$26,759,600

Section 190. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

ILLINOIS SCHOOL FOR THE DEAF

Payable from General Revenue Fund:

For Personal Services	11,666,700
For Student, Member or Inmate Compensation	13,400
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	1,879,000
For State Contributions to Social Security	605,500
For Contractual Services	1,609,700
For Travel	19,000
For Commodities	497,400
For Printing	1,000
For Equipment	117,900
For Telecommunications Services	116,200
For Operation of Auto Equipment	<u>39,100</u>
Total	\$16,564,900

Payable from Vocational Rehabilitation Fund:

For Secondary Transitional Experience Program	50,000
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Section 195. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

ILLINOIS SCHOOL FOR THE VISUALLY IMPAIRED

Payable from General Revenue Fund:

For Personal Services	6,322,000
For Student, Member or Inmate Compensation	16,400
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	1,018,200
For State Contributions to Social Security	379,300
For Contractual Services	619,000
For Travel	13,800
For Commodities	229,200
For Printing	2,500
For Equipment	80,000
For Telecommunications Services	49,100
For Operation of Auto Equipment	<u>11,500</u>
Total	\$8,741,000

Payable from Vocational Rehabilitation Fund:

For Secondary Transitional Experience Program	42,900
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Section 200. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Department of Human Services:

JOHN J. MADDEN MENTAL HEALTH CENTER

For Personal Services	17,278,300
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	2,782,800
For State Contributions to Social Security	1,321,800

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For Contractual Services	1,798,500
For Travel	26,800
For Commodities	524,300
For Printing	18,700
For Equipment	31,200
For Telecommunications Services	143,900
For Operation of Auto Equipment	14,500
For Expenses Related to Living	
Skills Program	19,200
For Costs Associated with Behavioral Health	
Services - Madden Network	<u>143,100</u>
Total	\$24,103,100

Section 205. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

WARREN G. MURRAY DEVELOPMENTAL CENTER

For Personal Services	22,054,200
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	3,552,100
For State Contributions to Social	
Security	1,701,200
For Contractual Services	1,656,600
For Travel	9,900
For Commodities	1,388,000
For Printing	10,000
For Equipment	122,300
For Telecommunications Services	56,000
For Operation of Auto Equipment	33,900
For Expenses Related to Living	
Skills Program	<u>2,900</u>
Total	\$30,587,100

Section 210. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

ELGIN MENTAL HEALTH CENTER

For Personal Services	41,061,300
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	6,613,300
For State Contributions to Social	
Security	3,141,200
For Contractual Services	4,157,000
For Travel	45,500
For Commodities	1,173,800
For Printing	34,700
For Equipment	131,400
For Telecommunications Services	309,100
For Operation of Auto Equipment	111,200
For Expenses Related to Living	
Skills Program	31,200
For Costs Associated with Behavioral Health	
Services - Elgin Network	<u>7,388,300</u>
Total	\$64,198,000

Section 215. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

COMMUNITY AND RESIDENTIAL SERVICES

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FOR THE BLIND AND VISUALLY IMPAIRED

Payable from General Revenue Fund:

For Personal Services	1,305,100
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	210,200
For State Contributions to Social Security	91,600
For Contractual Services	32,300
For Travel	57,800
For Commodities	6,300
For Printing	200
For Equipment	200
For Telecommunications Services	2,100
Total	\$1,705,800

Section 220. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

CHESTER MENTAL HEALTH CENTER

For Personal Services	24,472,100
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	3,941,500
For State Contributions to Social Security	1,895,300
For Contractual Services	2,652,300
For Travel	69,500
For Commodities	633,500
For Printing	10,300
For Equipment	50,300
For Telecommunications Services	101,900
For Operation of Auto Equipment	15,700
For Expenses Related to Living Skills Program	4,600
Total	\$33,847,000

Section 225. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

JACKSONVILLE DEVELOPMENTAL CENTER

For Personal Services	20,140,400
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	3,243,800
For State Contributions to Social Security	1,540,700
For Contractual Services	1,408,300
For Travel	14,600
For Commodities	1,629,100
For Printing	12,900
For Equipment	89,600
For Telecommunications Services	79,500
For Operation of Auto Equipment	46,600
For Expenses Related to Living Skills Program	16,200
Total	\$28,221,700

Section 230. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

ILLINOIS CENTER FOR REHABILITATION AND EDUCATION

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Payable from General Revenue Fund:

For Personal Services	3,404,400
For Student, Member or Inmate Compensation	2,000
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	548,300
For State Contributions to Social Security	260,500
For Contractual Services	783,000
For Travel	8,900
For Commodities	74,200
For Printing	5,800
For Equipment	44,000
For Telecommunications Services	49,900
For Operation of Auto Equipment	8,500
Total	\$5,189,500

Payable from Vocational Rehabilitation Fund:

For Secondary Transitional Experience Program	60,000
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Section 235. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

ANDREW McFARLAND MENTAL HEALTH CENTER

For Personal Services	10,849,800
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	1,747,500
For State Contributions to Social Security	830,000
For Contractual Services	1,733,300
For Travel	13,500
For Commodities	348,800
For Printing	6,800
For Equipment	63,600
For Telecommunications Services	86,100
For Operation of Auto Equipment	23,000
For Expenses Related to Living Skills Program	11,400
For Costs Associated with Behavioral Health Services - McFarland Network	146,800
Total	\$15,860,600

Section 240. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

REFUGEE SOCIAL SERVICE PROGRAM

Payable from the Special Purposes Trust Fund:

For Personal Services	555,100
For Employee Retirement Contributions	
Paid by Employer	16,700
For Retirement Contributions	89,400
For State Contributions to Social Security	42,400
For Group Insurance	96,000
For Contractual Services	47,100
For Travel	9,500
For Commodities	33,000
For Printing	37,600
For Equipment	7,100
Total	\$933,900

Section 245. The following named sum, or so much thereof as may be necessary,

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respectively, is appropriated to the Department of Human Services for the purposes hereinafter named:

REFUGEE SOCIAL SERVICE PROGRAM
GRANTS-IN-AID

Payable from Special Purposes Trust Fund:

For Refugee Resettlement Purchase of Service	10,128,200
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Section 250. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Department of Human Services:

GOVERNOR SAMUEL H. SHAPIRO DEVELOPMENTAL CENTER	
For Personal Services	47,892,000
For Employee Retirement Contributions Paid by Employer	0
For Retirement Contributions	7,673,200
For State Contributions to Social Security	3,644,600
For Contractual Services	4,215,000
For Travel	11,800
For Commodities	3,034,800
For Printing	33,800
For Equipment	173,100
For Telecommunications Services	122,800
For Operation of Auto Equipment	<u>113,900</u>
Total	\$66,915,000

Section 255. The following named sums, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services for the purposes hereinafter named:

EMPLOYMENT AND SOCIAL SERVICE PROGRAMS

Payable from General Revenue Fund:

For Personal Services	5,871,600
For Employee Retirement Contributions Paid by Employer	0
For Retirement Contributions	945,700
For State Contributions to Social Security	449,200
For Contractual Services	78,200
For Travel	72,200
For Equipment	<u>4,400</u>
Total	\$7,421,300

Payable from the Special Purposes Trust Fund:

For Operation of Federal Employment Programs	10,000,000
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Section 260. The following named amounts, or so much thereof as may be necessary, respectively, for the objects hereinafter named, are appropriated to the Department of Human Services for Employment and Social Services and related distributive purposes, including such Federal funds as are made available by the Federal government for the following purposes:

EMPLOYMENT AND SOCIAL SERVICE PROGRAMS
GRANTS-IN-AID

Payable from General Revenue Fund:

For Employability Development Services Including Operating and Administrative Costs and Related Distributive Purposes	14,323,000
For Emergency Food and Shelter Program	9,368,300
For Emergency Food Program	267,000
For Grants for Crisis Nurseries	472,900
For Food Stamp Employment and Training including Operating and Administrative	

For Telecommunications Services	<u>2,600</u>
Total	\$416,000
Payable from Juvenile Justice Trust Fund:	
For Personal Services	180,900
For Employee Retirement Contributions	
Paid by Employer	5,400
For Retirement Contributions	29,100
For State Contributions to	
Social Security	13,900
For Group Insurance	36,000
For Contractual Services	66,900
For Travel	26,500
For Commodities	4,600
For Printing	3,500
For Telecommunications Services	11,900
For Detention Monitoring	<u>75,000</u>
Total	\$453,700

Section 270. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services for the purposes hereinafter named:

JUVENILE JUSTICE PROGRAMS
GRANTS-IN-AID

Payable from Juvenile Justice Trust Fund:	
For Juvenile Justice Planning and Action	
Grants for Local Units of Government	
and Non-Profit Organizations including	
Prior Fiscal Years Costs	12,600,000
For Grants to State Agencies, including	
Prior Fiscal Years	<u>370,000</u>
Total	\$12,970,000

Section 275. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Human Services for the objects and purposes hereinafter named:

COMMUNITY HEALTH

Payable from the General Revenue Fund:	
For Personal Services	3,302,600
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	531,900
For State Contributions to Social Security	252,600
For Contractual Services	447,200
For Travel	123,300
For Commodities	19,600
For Equipment	32,500
For Telecommunications Services	46,300
For Expenses for the Development and	
Implementation of Cornerstone	<u>2,146,800</u>
Total	\$6,902,800
Payable from the DHS Federal Projects Fund:	
For Personal Services	612,300
For Employee Retirement Contributions	
Paid by Employer	18,400
For Retirement Contributions	98,600
For State Contributions to Social Security	46,800
For Group Insurance	132,000
For Contractual Services	1,405,200
For Travel	155,500
For Commodities	36,000
For Printing	22,000
For Equipment	568,000

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For Telecommunications Services	246,800
For Expenses Related to Public Health Programs	256,200
For Operational Expenses for Maternal and Child Health Special Projects of Regional and National Significance	<u>226,300</u>
Total	\$3,824,100
Payable from the USDA Women, Infants and Children Fund:	
For Personal Services	3,413,200
For Employee Retirement Contributions	
Paid by Employer	102,400
For Retirement Contributions	549,700
For State Contributions to Social Security	261,100
For Group Insurance	720,000
For Contractual Services	1,139,200
For Travel	239,000
For Commodities	54,200
For Printing	184,500
For Equipment	279,000
For Telecommunications Services	250,000
For Operation of Auto Equipment	17,600
For Operational Expenses of the Women, Infants and Children (WIC) Program, Including Investigations	4,600,000
For Operational Expenses of Banking Services for Food Instruments Verification and Vendor Payment under the Women, Infants and Children (WIC) Program	1,000,000
For Operational Expenses of the Federal Commodity Supplemental Food Program	42,500
For Operational Expenses Associated with Support of the USDA Women, Infants and Children Program	<u>150,000</u>
Total	\$13,002,400
Payable from the Maternal and Child Health Services Block Grant Fund:	
For Operational Expenses of Maternal and Child Health Programs	4,223,300
Payable from the Preventive Health and Health Services Block Grant Fund:	
For Expenses of Preventive Health and Health Services Programs	55,000
Payable from the DHS State Projects Fund:	
For Operational Expenses for Public Health Programs	368,000
Section 280. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Human Services for the objects and purposes hereinafter named:	
COMMUNITY HEALTH GRANTS-IN-AID	
Payable from the General Revenue Fund:	
For Grants to Public and Private Agencies for Problem Pregnancies	248,800
For Grants to Provide Assistance to Sexual Assault Victims and for Sexual Assault	

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Prevention Activities	5,542,000
For Grants for Programs to Reduce Infant Mortality and to Provide Case Management and Outreach Services	16,836,600
For Grants for Programs to Reduce Infant Mortality and to Provide Case Management and Outreach Services for Medicaid Eligible Families	27,598,600
For Grants for the Intensive Prenatal Performance Project	3,136,300
For Grants to the Chicago Department of Health for Maternal and Child Health Services	295,000
For Grants and Administrative Expenses Related to the Healthy Families Program	9,686,700
For Costs Associated with the Domestic Violence Shelters and Services Program	21,279,700
For Grants for After School Youth Support Programs	20,428,500
For Costs Associated with Teen Parent Services	7,122,400
For Grants to Family Planning Programs For Contraceptive Services	723,800
For a Grant to Mano a Mano Family Resource Center	50,000
For a Grant for Youth and Family Counseling	75,000
Payable from the Sexual Assault Services Fund:	
For Grants Related to the Sexual Assault Services Program	<u>100,000</u>
Total	\$113,123,400
Payable from the Special Purposes Trust Fund:	
For Costs Associated with Family Violence Prevention Services	5,000,000
Payable from the DHS Federal Projects Fund:	
For Grants for Public Health Programs	2,830,000
For Grants for Maternal and Child Health Special Projects of Regional and National Significance	1,300,000
For Grants for Family Planning Programs Pursuant to Title X of the Public Health Service Act	8,000,000
For Grants for the Federal Healthy Start Program	<u>4,000,000</u>
Total	\$21,130,000
Payable from the Special Purposes Trust Fund:	
For Community Grants	5,698,100
Payable from the Domestic Violence Abuser Services Fund:	
For Domestic Violence Abuser Services	100,000
Payable from the Federal National Community Services Grant Fund:	
For Payment for Community Activities, Including Prior Years' Costs	13,000,000

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Payable from the USDA Women, Infants and Children Fund:	
For Grants to Public and Private Agencies for Costs of Administering the USDA Women, Infants, and Children (WIC) Nutrition Program	42,000,000
For Grants for the Federal Commodity Supplemental Food Program	1,400,000
For Grants for Free Distribution of Food Supplies under the USDA Women, Infants, and Children (WIC) Nutrition Program	173,000,000
For Grants for Administering USDA Women, Infants, and Children (WIC) Nutrition Program Food Centers	24,000,000
For Grants for USDA Farmer's Market Nutrition Program	<u>1,500,000</u>
Total	\$260,698,100
Payable from the Maternal and Child Health Services Block Grant Fund:	
For Grants for Maternal and Child Health Programs, Including Programs Appropriated Elsewhere in this Section	8,465,200
For Grants to the Chicago Department of Health for Maternal and Child Health Services	5,000,000
For Grants to the Board of Trustees of the University of Illinois, Division of Specialized Care for Children	7,800,000
For Grants for an Abstinence Education Program including operating and administrative costs	<u>2,500,000</u>
Total	\$23,765,200
Payable from the Preventive Health and Health Services Block Grant Fund:	
For Grants to Provide Assistance to Sexual Assault Victims and for Sexual Assault Prevention Activities	500,000
For Grants for Rape Prevention Education Programs, including operating and administrative costs	<u>1,000,000</u>
Total	\$1,500,000
Payable from the DHS State Projects Fund:	
For Grants to Establish Health Care Systems for DCFS Wards	2,361,400
Payable from Domestic Violence Shelter and Service Fund:	
For Domestic Violence Shelters and Services Program	1,000,000
For Grants in Children's Cancer Research:	
Payable from Children's Cancer Fund	2,500
For Grants for Diabetes Research:	
Payable from American Diabetes Association Fund	74,000
For Children's Health Programs:	
Payable from Tobacco Settlement Recovery Fund	2,000,000
For a Grant to the Coalition for Technical Assistance and Training:	
Payable from Tobacco Settlement Recovery Fund	250,000

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For a Grant to the Gilead Outreach and Referral Center:

Payable from the General Revenue Fund	250,000
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Section 285. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

COMMUNITY YOUTH SERVICES

Payable from General Revenue Fund:

For Personal Services	171,000
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	27,500
For State Contributions to	
Social Security	<u>13,100</u>
Total	\$211,600

Section 290. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Services:

COMMUNITY YOUTH SERVICES

GRANTS-IN-AID

Payable from General Revenue Fund:

For Community Services	6,937,900
For Youth Services Grants Associated with	
Juvenile Justice Reform	3,283,900
For Comprehensive Community-Based	
Service to Youth	12,854,000
For Unified Delinquency Intervention	
Services	2,991,100
For Homeless Youth Services	4,609,400
For Early Intervention	61,191,600
For Redeploy Illinois	2,000,000
For Parents Too Soon Program	7,235,000
For Delinquency Prevention	<u>1,533,300</u>
Total	\$102,636,200

Payable from the Special Purposes Trust Fund:

For Parents Too Soon Program,	
including grants and operations	3,665,200

Payable from the Early Intervention Services Revolving Fund:

For Grants Associated with the	
Early Intervention Services	
Program, including operating	
and administrative costs	<u>119,977,800</u>
Total	\$123,643,000

Section 295. The sum of \$15,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004 from appropriations and reappropriations heretofore made for such purposes in Article 2, Section 285 of Public Act 93-0092, is reappropriated from the Early Intervention Services Revolving Fund to the Department of Human Services for grants associated with the Early Intervention Program, including operating and administrative costs.

Section 300. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenditures of the Department of Human Services:

WILLIAM W. FOX DEVELOPMENTAL CENTER

For Personal Services	12,419,600
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	2,000,300
For State Contributions to Social	
Security	950,100
For Contractual Services	1,073,800

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For Travel	6,900
For Commodities	808,500
For Printing	8,700
For Equipment	33,100
For Telecommunications Services	21,900
For Operation of Auto Equipment	20,400
For Expenses Related to Living	
Skills Program	<u>1,000</u>
Total	\$17,344,300

Section 305. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Department of Human Services:

ELISABETH LUDEMAN DEVELOPMENTAL CENTER

For Personal Services	26,600,900
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	4,284,300
For State Contributions to Social	
Security	2,048,100
For Contractual Services	2,528,100
For Travel	3,500
For Commodities	598,700
For Printing	9,200
For Equipment	96,900
For Telecommunications Services	123,100
For Operation of Auto Equipment	41,900
For Expenses Related to Living	
Skills Program	<u>24,700</u>
Total	\$36,359,400

Section 310. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Department of Human Services:

WILLIAM A. HOWE DEVELOPMENTAL CENTER

For Personal Services	36,177,600
For Employee Retirement Contributions	
Paid by Employer	0
For Retirement Contributions	5,826,800
For State Contributions to Social	
Security	2,767,600
For Contractual Services	4,685,800
For Travel	34,100
For Commodities	953,600
For Printing	18,700
For Equipment	81,300
For Telecommunications Services	144,400
For Operation of Auto Equipment	186,600
For Expenses Related to Living	
Skills Program	<u>11,100</u>
Total	\$50,887,600

ARTICLE 55

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

For Personal Services	405,900
For Employee Retirement Contributions	
Paid by Employer	0

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For State Contributions to State Employees' Retirement System	65,400
For State Contributions to Social Security	29,700
For Contractual Services	61,600
For Travel	19,600
For Commodities	11,700
For Printing	5,900
For Equipment	1,500
For Telecommunications Services	18,600
For Operation of Automotive Equipment	2,400
For Expenses relative to the operation of the Commission	<u>28,900</u>
Total	\$651,200

ARTICLE 56

Section 5. The following named sums, or so much thereof as may be necessary, respectively, are appropriated from the General Revenue Fund to the Guardianship and Advocacy Commission for the purposes hereinafter named:

For Personal Services	5,935,300
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to the State Employees' Retirement System	955,900
For State Contributions to Social Security	451,100
For Contractual Services	240,400
For Travel	158,000
For Commodities	13,400
For Printing	13,000
For Equipment	7,900
For Electronic Data Processing	21,400
For Telecommunications Services	242,900
For Operation of Auto Equipment	<u>7,300</u>
Total	\$8,046,600

Section 10. The sum of \$187,700, or so much thereof as may be necessary, is appropriated from the Guardianship and Advocacy Fund to the Guardianship and Advocacy Commission for services pursuant to Section 5 of the Guardianship and Advocacy Act.

ARTICLE 57

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes hereinafter named, to meet the ordinary and contingent expenses of the Illinois Council on Developmental Disabilities:

Payable from Council on Developmental

Disabilities Federal Fund:

For Personal Services	663,300
For Employee Retirement Contributions Paid By Employer	19,900
For State Contributions to the State Employees' Retirement System	106,800
For State Contributions to Social Security	50,800
For Group Insurance	168,000
For Contractual Services	469,700
For Travel	43,000
For Commodities	30,000
For Printing	37,500
For Equipment	15,000
For Electronic Data Processing	25,000
For Telecommunications Services	<u>45,000</u>
Total	\$1,674,000

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Section 10. The amount of \$2,500,000, or so much thereof as may be necessary, is appropriated from the Council on Developmental Disabilities Federal Fund to the Illinois Council on Developmental Disabilities for awards and grants to community agencies and other State agencies.

ARTICLE 58

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

DIVISION OF OLDER AMERICAN SERVICES

Payable from Services for Older

Americans Fund:

For Personal Services	1,056,900
For State Contributions to State Employees' Retirement System	170,200
For State Contributions to Social Security	80,900
For Group Insurance	146,900
For Travel	<u>55,700</u>
Total	\$1,510,600

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

DIVISION OF LONG TERM CARE

Payable from General Revenue Fund:

For Personal Services	972,100
For State Contributions to State Employees' Retirement System	156,600
For State Contributions to Social Security	74,300
For Travel	55,400
For the Alzheimer's Disease Task Force and Conference	<u>12,400</u>
Total	\$1,270,800

Section 15. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

DIVISION OF ADMINISTRATIVE SUPPORT

Payable from General Revenue Fund:

For Personal Services	1,386,500
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State Employees' Retirement System	223,300
For State Contributions to Social Security	106,600
For Contractual Services	169,200
For Travel	48,300
For Commodities	18,100
For Printing	11,300
For Equipment	15,200
For Telecommunications	55,700
For Operation of Auto Equipment	<u>3,400</u>
Total	\$2,037,600

Payable from Services for Older

Americans Fund:

For Personal Services	774,600
For Employee Retirement Contributions	
Paid by Employer	54,900
For State Contributions to State Employees' Retirement System	124,800
For State Contributions to Social Security	59,300
For Group Insurance	150,000

For Contractual Services	107,400
For Travel	26,400
For Commodities	7,200
For Printing	12,800
For Equipment	1,100
For Telecommunications	15,500
For Operations of Auto Equipment	<u>2,400</u>
Total	\$1,336,400

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

BUREAU OF INFORMATION SERVICES SECTION

Payable from General Revenue Fund:

For Personal Services	603,600
For State Contributions to State Employees' Retirement System	97,200
For State Contributions to Social Security	46,100
For Contractual Services	120,900
For Travel	4,600
For Commodities	5,800
For Printing	12,200
For Electronic Data Processing	120,400
For Telecommunications Services	<u>14,100</u>
Total	\$1,024,900

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

DISTRIBUTIVE ITEMS
OPERATIONS

Payable from General Revenue Fund:

For Expenses of the Provisions of the Elder Abuse and Neglect Act	8,898,200
For Expenses of the Intergenerational Programs	60,900
For Expenses of the Illinois Department on Aging for Monitoring and Support Services	296,900
For Expenses of the Illinois Council on Aging	12,200
For Expenses of the Senior Employment Specialist Program	264,300
For Expenses of the Grandparents Raising Grandchildren Program	136,500
For Administrative Expenses of Senior Meal Program	34,500
For Administrative Expenses of the Red Tape Cutter Program	9,800
For Expenses of the Senior Helpline	<u>468,600</u>
Total	\$10,181,900

Payable from Services for Older

Americans Fund:	
For Administrative Expenses of Senior Meal Program	52,100
For Expenses for Senior Caregivers of Adult Disabled Children	214,500
For Purchase of Training Services	148,300
For Expenses of the Discretionary Government Projects	<u>120,000</u>
Total	\$534,900

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Payable from the Department on Aging's

Special Projects Fund:

For Expenses of Private Partnership
Projects

45,000

Section 30. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Department on Aging:

DISTRIBUTIVE ITEMS
GRANTS-IN-AID

Payable from General Revenue Fund:

For the purchase of Illinois Community

Care Program homemaker and

Senior Companion Services

188,619,600

For Grants and for Administrative
Expenses Associated with

Case Management

27,278,000

For Grants for distribution to the 13 Area
Agencies on Aging for costs for home
delivered meals and mobile food equipment

6,969,600

Grants for Community Based Services
including information and referral
services, transportation and delivered
meals 3,062,300

Grants for Community Based Services for
equal distribution to each of the 13

Area Agencies on Aging

1,955,000

For Grants for Adult Day Care Services

15,852,000

For Purchase of Services in connection with
Alzheimer's Initiative and Related
Programs

104,700

For Grants for Retired Senior

Volunteer Program

802,000

For Planning and Service Grants to

Area Agencies on Aging

2,241,700

For Grants for the Foster

Grandparent Program

342,100

For Expenses to the Area Agencies
on Aging for Long-Term Care Systems
Development

276,000

For Grants for Suburban Area Agency
on Aging for the Red

Tape Cutter Program

251,700

For Grants for Chicago Department on Aging
for the Red Tape Cutter Program

603,600

For the Ombudsman Program

391,000

For Grants to local Senior Centers

260,000

Total

\$249,009,300

Payable from the Tobacco Settlement

Recovery Fund:

For Grants and Administrative

Expenses of Senior Health

Assistance Programs

1,100,000

Payable from Services for Older Americans Fund:

For Grants for Social Services

27,164,000

For Grants for Nutrition Services

24,475,800

For Grants for Employment Services

3,397,000

For Grants for USDA Adult Day Care

1,200,000

For Grants for the USDA Elderly
Feeding Program

6,500,000

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Total	\$62,736,800
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Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department on Aging for the ordinary and contingent expenses of the Senior Citizens Circuit Breaker and Pharmaceutical Assistance Program:

Payable from General Revenue Fund	57,284,900
Payable from Tobacco Settlement Recovery Fund	8,890,900
Payable from General Revenue Fund: For Pharmaceutical Refund	146,600

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Section 5. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

DIRECTOR'S OFFICE

Payable from the General Revenue Fund:

For Personal Services	2,180,900
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	351,300
For State Contributions to Social Security	165,500
For Contractual Services	109,500
For Travel	62,800
For Commodities	5,100
For Printing	1,800
For Equipment	400
For Telecommunications Services	60,600
For Operation of Auto Equipment	<u>700</u>
Total	\$2,938,600

Payable from the Public Health Services Fund:

For Operational Expenses Associated with Support of Federally Funded Public Health Programs	150,000
For Operational Expenses to Support Refugee Health Care	<u>514,000</u>
Total, Public Health Services Fund	\$664,000

Payable from the Public Health Special

State Projects Fund:

For Expenses of Public Health Programs	750,000
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Section 10. The sum of \$4,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Public Health for expenses targeted to decrease health disparities in communities of color for Breast and Cervical Cancer.

Section 15. The following named amount, or so much thereof as may be necessary, is appropriated to the Department of Public Health from the Public Health Services Fund for the objects and purposes hereinafter named:

DIRECTOR'S OFFICE

For Grants for the Development of Refugee Health Care	1,186,000
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Section 20. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF FINANCE AND ADMINISTRATION

Payable from the General Revenue Fund:

For Personal Services	5,825,300
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	938,200
For State Contributions to Social Security	445,600
For Contractual Services	4,120,400
For Travel	60,100

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For Commodities	105,200
For Printing	187,200
For Equipment	5,500
For Telecommunications Services	327,500
For Operation of Auto Equipment	44,100
For Expenses of the Public Health Information Network	84,700
For Expenses of the Adoption Registry and Medical Information Exchange	136,400
For Operational Expenses of Maintaining the Vital Records System	221,700
For Operational Expenses of the Regional Data Base System	<u>31,200</u>
Total	\$12,533,100
Payable from the Public Health Services Fund:	
For Personal Services	194,500
For Employee Retirement Contributions Paid by Employer	5,800
For State Contributions to State Employees' Retirement System	31,300
For State Contributions to Social Security	14,900
For Group Insurance	36,000
For Contractual Services	285,000
For Travel	20,000
For Commodities	6,000
For Printing	1,000
For Equipment	300,000
For Telecommunications Services	400,000
For Operational Expenses of Maintaining the Vital Records System	<u>400,000</u>
Total	\$1,694,500
Payable from the Lead Poisoning Screening, Prevention and Abatement Fund:	
For Operational Expenses for Maintaining Billings and Receivables for Lead Testing	110,000
Payable from Death Certificate Surcharge Fund:	
For Expenses of Statewide Database of Death Certificates and Distributions of Funds to Governmental Units, Pursuant to Public Act 91-0382	3,082,000
Payable from the Metabolic Screening and Treatment Fund:	
For Operational Expenses for Maintaining Laboratory Billings and Receivables	80,000
Section 25. The following named amount, or so much thereof as may be necessary, is appropriated to the Department of Public Health for the objects and purposes hereinafter named:	
OFFICE OF FINANCE AND ADMINISTRATION	
Payable from the General Revenue Fund:	
For Grants for Development of Local Health Departments and the Public Health Workforce, including Operational Expenses	179,700
Section 30. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:	
OFFICE OF FINANCE AND ADMINISTRATION	
For Other Refunds, Payable from the General Revenue Fund	39,100

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For Refunds, Payable from the Public Health Services Fund	75,000
For Refunds, Payable from the Maternal and Child Health Services Block Grant Fund	5,000
For Refunds, Payable from the Preventive Health and Health Services Block Grant Fund	<u>5,000</u>
Total	\$124,100

Section 35. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

DIVISION OF INFORMATION TECHNOLOGY

Payable from the General Revenue Fund:

For Personal Services	1,913,600
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	308,200
For State Contributions to Social Security	145,200
For Contractual Services	237,300
For Travel	5,300
For Commodities	4,800
For Printing	16,000
For Electronic Data Processing	594,700
For Telecommunications Services	59,300
For Operational Expenses for Health Information Systems Targeted for Health Screening Programs	132,500
For Expenses for Public Health Prevention Systems	963,900
For Expenses Associated with the Childhood Immunization Program	<u>271,600</u>
Total	\$4,652,400

Payable from the Lead Poisoning Screening, Prevention and Abatement Fund:

For Operational Expenses of the Lead Poisoning Screening and Prevention Program	250,000
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Payable from the Metabolic Screening and Treatment Fund:

For Operational Expenses of the Metabolic Screening Program	390,000
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Payable from the Public Health Services Fund:

For Expenses Associated with Support of Federally Funded Public Health Programs	1,250,000
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Payable from the Maternal and Child Health Services Block Grant Fund:

For Operational Expenses Associated with Support of Maternal and Child Health Programs	200,000
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Payable from the Public Health Special State Projects Fund:

For Expenses of EPSDT	150,000
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Section 40. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF HEALTH PROMOTION

Payable from the General Revenue Fund:

For Personal Services	1,049,100
For Employee Retirement Contributions	

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Paid by Employer	0
For State Contributions to State Employees' Retirement System	169,000
For State Contributions to Social Security	80,300
For Contractual Services	29,100
For Travel	52,900
For Commodities	8,300
For Printing	2,500
For Equipment	100
For Telecommunications Services	30,500
For Operation of Auto Equipment	400
For Operational Expenses of Legacy Public Health Programs	359,000
For Deposit into the Lead Poisoning, Screening, Prevention, and Abatement Fund	684,300
For Expenses of the Governor's Health and Physical Fitness Advisory Committee	6,500
For Expenses of the Prostate Cancer Awareness and Screening Program	<u>297,000</u>
Total	\$2,769,000
For Expenses related to Services for Prostate Cancer Public Awareness Initiatives payable from the General Revenue Fund	1,400,000
Payable from the General Revenue Fund:	
For grants for the extension and provision of perinatal services for premature and high-risk infants and their mothers	1,157,700
For a grant to Sacred Heart Hospital of Chicago	250,000
Payable from the Public Health Services Fund:	
For Personal Services	1,205,000
For Employee Retirement Contributions	
Paid by Employer	36,200
For State Contributions to State Employees' Retirement System	194,100
For State Contributions to Social Security	92,200
For Group Insurance	352,000
For Contractual Services	650,000
For Travel	160,000
For Commodities	13,000
For Printing	44,000
For Equipment	50,000
For Telecommunications Services	<u>65,000</u>
Total	\$2,861,500
Payable from the Lead Poisoning Screening, Prevention and Abatement Fund:	
For Expenses, Including Refunds, of the Lead Poisoning Screening and Prevention Program	683,100
Payable from the Maternal and Child Health Services Block Grant Fund:	
For Operational Expenses of Maternal and Child Health Programs	440,000
Payable from the Preventive Health and Health Services Block Grant Fund:	
For Expenses of Preventive Health and Health Services Programs	1,226,800
Payable from the Maternal and Child Health	

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Block Grant Fund:	
For Grants for the Extension and Provision of Perinatal Services for Premature and High-risk Infants and their Mothers	2,401,800
Payable from the Public Health Special State Projects Fund:	
For Expenses for Public Health Programs	750,000
Payable from the Metabolic Screening and Treatment Fund:	
For Operational Expenses for Metabolic Screening Follow-up Services	1,020,900
Payable from the Hearing Instrument Dispenser Examining and Disciplinary Fund:	
For Expenses Pursuant to the Hearing Aid Consumer Protection Act	104,500
Payable from Lou Gehrig's Disease Research Fund:	
For grants to the Les Turner ALS foundation for Research on Amyotrophic Lateral Sclerosis (ALS)	100,000
Payable from the Leukemia Treatment and Education Fund:	
For grants for the treatment of Leukemia, Lymphoma and Myeloma	100,000
Payable from the Asthma and Lung Research Fund:	
For a grant to the Asthma Clinical Research Program	100,000
Payable from the Spinal Cord Injury Paralysis Cure Research Trust Fund:	
For grants for spinal cord injury research	100,000
Section 45. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:	
OFFICE OF HEALTH PROMOTION	
Payable from the General Revenue Fund:	
For Grants for Vision and Hearing Screening Programs	674,800
For Grants Associated with Donated Dental Services	73,300
For a grant to the Amyotrophic Lateral Sclerosis (ALS) Association for Research into discovering the cause and cure for Amyotrophic Lateral Sclerosis	<u>1,000,000</u>
Total	\$1,748,100
Payable from the Alzheimer's Disease Research Fund:	
For Grants Pursuant to the Alzheimer's Disease Research Act	200,000
Payable from the Public Health Services Fund:	
For Grants for Public Health Programs, Including Operational Expenses	6,000,000
Payable from the Lead Poisoning Screening, Prevention and Abatement Fund:	
For Grants for the Lead Poisoning Screening and Prevention Program	2,000,000
Payable from the Maternal and Child Health Services Block Grant Fund:	
For Grants for Maternal and Child Health Programs	495,000
Payable from the Preventive Health and Health Services Block Grant Fund:	
For Grants for Prevention Programs	

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For Telecommunications	50,000
For Expenses of Monitoring in Long Term Care Facilities	<u>1,500,000</u>
Total	\$13,013,300
Payable from Assisted Living and Shared Housing Regulatory Fund:	
For operational expenses of the Assisted Living and Shared Housing Program, pursuant to Public Act 91-0656	100,000
Payable from the Long Term Care Monitor/Receiver Fund:	
For Expenses, Including Refunds, Related to Appointment of Long Term Care Monitors and Receivers	607,800
Payable from the Regulatory Evaluation and Basic Enforcement Fund:	
For Expenses of the Alternative Health Care Delivery Systems Program	75,000
Payable from the Trauma Center Fund:	
For Expenses of Administering the Distribution of Payments to Trauma Centers	6,000,000
Payable from the EMS Assistance Fund:	
For Expenses of Administering the Distribution of Payments from the EMS Assistance Fund, Including Refunds	300,000
Payable from the Health Facility Plan Review Fund:	
For Expenses of Health Facility Plan Review Program and Hospital Network System, including refunds	2,219,000
Payable from Innovations in Long Term Care Quality Demonstration Grants Fund:	
For demonstration grants for nursing homes	1,000,000
Payable from the End Stage Renal Disease Facility Licensing Fund:	
For expenses of the End Stage Renal Disease Facility Licensing Program	385,000
Section 60. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:	
OFFICE OF HEALTH PROTECTION	
Payable from the General Revenue Fund:	
For Personal Services	6,388,900
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	1,029,000
For State Contributions to Social Security	488,800
For Contractual Services	117,700
For Travel	204,000
For Commodities	15,900
For Printing	9,200
For Equipment	100
For Telecommunications Services	91,400
For Operation of Auto Equipment	6,900
For Expenses of Implementing Federal Awards, Including Services Performed by Local Health Providers	9,800

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For Expenses of Immunization Promotion, Awareness, and Outreach	977,600
For Expenses Incurred for the Rapid Investigation and Control of Disease or Injury	567,400
For Expenses of Environmental Health Surveillance and Prevention Activities, Including Mercury Hazards and West Nile Virus	459,600
For Expenses for Expanded Lab Capacity and Enhanced Statewide Communication Capabilities Associated with Homeland Security	<u>508,000</u>
Total	\$10,874,300
Payable from the Public Health Services Fund:	
For Personal Services	3,747,000
For Employee Retirement Contributions Paid by Employer	112,400
For State Contributions to State Employees' Retirement System	603,500
For State Contributions to Social Security	286,600
For Group Insurance	700,000
For Contractual Services	3,152,800
For Travel	332,800
For Commodities	230,000
For Printing	70,800
For Equipment	875,000
For Telecommunications Services	286,800
For Operation of Auto Equipment	10,000
For Expenses of Implementing Federal Awards, Including Services Performed by Local Health Providers	4,925,700
For Expenses Related to the Summer Food Inspection Program	<u>45,000</u>
Total	\$15,378,400
Payable from the Food and Drug Safety Fund:	
For Expenses of Administering the Food and Drug Safety Program, including Refunds	1,727,600
Payable from the Illinois School Asbestos Abatement Fund:	
For Expenses, Including Refunds, of Administering and Executing the Asbestos Abatement Act and the Federal Asbestos Hazard Emergency Response Act of 1986 (AHERA)	952,500
Payable from the Public Health Water Permit Fund:	
For Expenses, Including Refunds, of Administering the Groundwater Protection Act	200,000
Payable from the Used Tire Management Fund:	
For Expenses of Vector Control Programs, including Mosquito Abatement	500,000
Payable from the Lead Poisoning Screening, Prevention and Abatement Fund:	
For Expenses of the Lead Poisoning	

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Screening, and Prevention Program, Including Refunds	600,000
Payable from the Tanning Facility Permit Fund:	
For Expenses to Administer the Tanning Facility Permit Act, Including Refunds	500,000
Payable from the Plumbing Licensure and Program Fund:	
For Expenses to Administer and Enforce the Illinois Plumbing License Law, including Refunds	1,331,400
Payable from the Pesticide Control Fund:	
For Public Education, Research, and Enforcement of the Structural Pest Control Act	200,000
Payable from the Facility Licensing Fund:	
For Expenses, including Refunds, of Environmental Health Programs	659,900
Payable from the Public Health Special State Projects Fund:	
For Expenses of Conducting EPSDT and other Health Protection Programs	1,200,000
Payable from the Emergency Public Health Fund:	
For expenses of mosquito abatement in an effort to curb the spread of West Nile Virus	3,413,600

Section 65. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF HEALTH PROTECTION

Payable from the General Revenue Fund:	
For Grants for Free Distribution of Medical Preparations	4,274,300
For Grants for Sexually Transmitted Disease Medical Services to Individuals	10,800
For Grants to Metro Chicago Hospital Council for support of the Illinois Poison Control Center	1,427,200
For Local Health Protection Grants to Certified Local Health Departments for Health Protection Programs including, But Not Limited To, Infectious Diseases, Food Sanitation, Potable Water and Private Sewage	<u>13,981,400</u>
Total	19,693,700
Payable from the Tobacco Settlement Recovery Fund:	
For a Grant for the University of Illinois for Sickle Cell Research	1,900,000

Section 70. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for expenses of programs related to Acquired Immunodeficiency Syndrome (AIDS) and Human Immunodeficiency Virus (HIV):

OFFICE OF HEALTH PROTECTION: AIDS/HIV

Payable from the General Revenue Fund:	
For Personal Services	396,100
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State	

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Employees' Retirement System	63,800
For State Contributions to Social Security	30,000
For Contractual Services	26,500
For Travel	12,400
For Expenses of an AIDS Hotline	202,700
For Expenses of Minority AIDS/HIV	
Prevention and Outreach	3,150,000
For Expenses of AIDS/HIV Education, Drugs, Services, Counseling, Testing, Referral and Partner Notification (CTRPN), and Patient and Worker Notification pursuant to Public Act 87-763	<u>15,658,600</u>
Total	\$19,540,100
Payable from the Public Health Services Fund:	
For Expenses of Programs for Prevention of AIDS/HIV	4,651,600
For Expenses for Surveillance Programs and Seroprevalence Studies of AIDS/HIV	1,500,000
For Expenses Associated with the Ryan White Comprehensive AIDS Resource Emergency Act of 1990 (CARE) and other AIDS/HIV services	<u>35,900,000</u>
Total	\$42,051,600
Section 75. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:	
SPRINGFIELD LABORATORY	
Payable from the General Revenue Fund:	
For Personal Services	1,133,700
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	182,600
For State Contributions to Social Security	<u>86,000</u>
Total	\$1,402,300
CARBONDALE LABORATORY	
Payable from the General Revenue Fund:	
For Personal Services	298,400
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	48,100
For State Contributions to Social Security	<u>22,700</u>
Total	\$369,200
CHICAGO LABORATORY	
Payable from the General Revenue Fund:	
For Personal Services	1,633,100
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	263,000
For State Contributions to Social Security	<u>123,900</u>
Total	\$2,065,000
PUBLIC HEALTH LABORATORIES	
Payable from the General Revenue Fund:	
For Contractual Services	276,100
For Travel	23,000
For Commodities	320,600

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For Printing	17,600
For Equipment	3,300
For Telecommunications Services	65,500
For Operation of Auto Equipment	1,700
For Expenses of Increasing and Maintaining Laboratory Capacity for the Rapid Response to Outbreaks or Incidence of Infectious Diseases or Injury	114,400
For Operational Expenses to Provide Clinical and Environmental Public Health Laboratory Services	<u>4,288,400</u>
Total, General Revenue Fund	\$5,110,600
Payable from the Public Health Services Fund:	
For Personal Services	200,000
For Employee Retirement Contributions Paid by Employer	6,000
For State Contributions to State Employees' Retirement System	32,200
For State Contributions to Social Security	15,300
For Group Insurance	48,000
For Contractual Services	200,000
For Travel	20,000
For Commodities	340,000
For Printing	10,000
For Equipment	115,000
For Telecommunications Services	<u>7,000</u>
Total, Public Health Services Fund	\$993,500
Payable from the Public Health Laboratory Services Revolving Fund:	
For Expenses, Including Refunds, to Administer Public Health Laboratory Programs and Services	3,078,000
Payable from the Lead Poisoning Screening, Prevention and Abatement Fund:	
For Expenses, Including Refunds, of Lead Poisoning Screening, Prevention and Abatement Program	1,347,100
Payable from the Metabolic Screening and Treatment Fund:	
For Expenses, Including Refunds, of Testing and Screening for Metabolic Diseases	3,974,300
Section 80. The following named amounts, or as much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:	
OFFICE OF WOMEN'S HEALTH	
Payable from the General Revenue Fund:	
For Personal Services	362,400
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	58,400
For State Contributions to Social Security	27,500
For Contractual Services	50,500
For Travel	23,500
For Commodities	3,300
For Printing	14,700

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For Equipment	700
For Telecommunications Services	12,700
For Operational Expenses of State-wide Women's Healthline	88,000
For Operational Expenses for Educational Programs to Reduce Breast Cancer	25,600
For Expenses for Breast and Cervical Cancer Screenings and other Related Activities	2,150,000
For payment into the Penny Severns Breast and Cervical Cancer Research Fund 244,400	
For Expenses of the Women's Health Promotion Programs	<u>945,200</u>
Total	\$4,006,900
Payable from the Public Health Services Fund:	
For Personal Services	472,200
For Employee Retirement Contributions Paid by Employer	14,200
For State Contributions to State Employees' Retirement System	76,100
For State Contributions to Social Security	36,100
For Group Insurance	108,000
For Contractual Services	500,000
For Travel	50,000
For Commodities	53,200
For Printing	34,500
For Equipment	50,000
For Telecommunications Services	10,000
For Expenses of Federally Funded Women's Health Program	<u>2,600,000</u>
Total	\$4,004,300
Payable from the Public Health Special State Projects Fund:	
For Expenses of Women's Health Programs	200,000
Section 85. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:	
OFFICE OF WOMEN'S HEALTH	
Payable from the General Revenue Fund:	
For Grants Pursuant to the Promotion of Women's Health	<u>1,148,600</u>
Total	\$1,148,600
Payable from the Public Health Services Fund:	
For Grants for Breast and Cervical Cancer Screenings in Fiscal Year 2005 and all prior fiscal years	6,000,000
Payable from the Penny Severns Breast and Cervical Cancer Research Fund:	
For Grants for Breast and Cervical Cancer Research	600,000
Section 90. The following named amount, or so much thereof as may be necessary, is appropriated to the Department of Public Health for the objects and purposes hereinafter named:	
DIVISION OF PUBLIC HEALTH PREPAREDNESS	
Payable from the Public Health Services Fund:	
For Expenses of Federally Funded Bioterrorism Preparedness Activities	55,000,000
Payable from the Federal Civil Preparedness	

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Administrative Fund:

For Costs Associated with Illinois
Terrorism Task Force Approved
Purchases for Homeland Security 2,100,000

Section 95. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Health for the objects and purposes hereinafter named:

OFFICE OF POLICY, PLANNING AND STATISTICS

Payable from the General Revenue Fund:

For Personal Services 1,820,400

For Employee Retirement Contributions

Paid by Employer 0

For State Contributions to State

Employees' Retirement System 293,200

For State Contributions to Social

Security 138,100

For Contractual Services 27,900

For Travel 32,600

For Commodities 2,600

For Printing 300

For Equipment 4,800

For Telecommunications Services 29,900

For Expenses to establish program

to provide scholarships to Allied

Health Professionals 92,800

For operating expenses of the Center

for Rural Health 461,500

For grants to public and private agencies

for Residency Programs pursuant to the

Family Practice Residency Act 309,500

For grants to public and private agencies

For Residency Programs pursuant to the

Family Practice Residency Act 480,700

For matching grants to Community Based

Organizations for Comprehensive

Primary Care 399,800

For grants to assist Community and

Migrant Health Centers to expand service

capacity and develop additional sites 399,800

For hospital grants to diversify

services and convert to facilities

that are less dependent on Acute

Care Bed capacity 399,800

For expenses of the Adverse Pregnancy

Outcomes Reporting Systems (APORS)

Program 365,800

For expenses of State Cancer Registry,

Including matching funds for National

Cancer Institute grants

Total 166,200

\$5,425,700

Payable from Rural/Downstate Health Access Fund:

For expenses associated with the Rural/

Downstate Health Access Program 525,000

Payable from the Public Health Services Fund;

For expenses related to Epidemiological

Health Outcomes Investigations and

Database Development

4,230,000

For expenses for Rural Health Center to

expand the availability of Primary

Health Care 2,000,000

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For operational expenses to develop a Health Care Provider Recruitment and Retention Program	300,000
For grants to develop a Health Care Provider Recruitment and Retention Program	450,000
For grants to develop a Health Professional Educational Loan Repayment Program	<u>900,000</u>
Total	\$7,880,000
Payable from Community Health Center Care Fund:	
For expenses for access to Primary Health Care Services Program per Family Practice Residency Act	1,185,600
Payable from Illinois Health Facilities Planning Fund:	
For Personal Services	905,000
For Employee Retirement Contributions	
Paid by Employer	27,200
For State Contributions to State Employees' Retirement System	145,800
For State Contributions to Social Security	69,000
For Group Insurance	180,600
For Contractual Services	403,900
For Travel	40,000
For Commodities	3,000
For Printing	500
For Equipment	25,000
For Telecommunications Services	<u>10,000</u>
Total	\$1,810,000
Payable from Nursing Dedicated and Professional Fund:	
For expenses of the Nursing Education Scholarship Law	750,000
Payable from the Regulatory Evaluation and Basic Enforcement Fund:	
For Expenses of the Alternative Health Care Delivery Systems Program	75,000
Payable from the Tobacco Settlement Recovery Fund:	
For grants for the Community Health Center Expansion Program	3,000,000
Payable from the General Revenue Fund:	
For grants for the Community Health Center Expansion Program	500,000
For grants for Access to Health Care Services for the underinsured	<u>25,000</u>
Total	\$525,000
Payable from the Preventive Health and Health Services Block Grant Fund:	
For expenses of Preventive Health and Health Services Needs Assessment	1,156,700
Payable from Public Health Special State Projects Fund:	
For expenses associated with Health Outcomes Investigations	500,000
Payable from Illinois State Podiatric Disciplinary Fund:	
For expenses of the Podiatric Scholarship And Residency Act	65,000
Payable from the Public Health Federal Projects Fund:	
For expenses of Health Outcomes, Research, Policy and Surveillance	812,000

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Section 100. The sum of \$1,500,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Public Health for a grant to the Illinois Hospital Research and Education Foundation for the creation and maintenance of the Illinois Healthcare Broadband Network. The amount appropriated can be used for all purposes necessary to establish and maintain the Broadband Network, including, but not limited to, securing federal matching dollars.

Section 105. The sum of \$700,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Public Health for all expenses associated with the Save a Life Program.

ARTICLE 60

Section 5. The sum of \$192,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Medical District Commission for ordinary and contingent expenses.

ARTICLE 61

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Rights for the objects and purposes hereinafter enumerated:

ADMINISTRATION

Payable from General Revenue Fund:

For Personal Services	531,000
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State Employees' Retirement System	85,500
For State Contributions to Social Security	40,600
For Contractual Services	298,000
For Travel	16,500
For Commodities	15,800
For Printing	4,700
For Equipment	24,800
For Telecommunications Services	27,100
For Operation of Auto Equipment	<u>11,600</u>
Total	\$1,055,600

The sum of \$156,600, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Human Rights for the purpose of funding expenses associated with the Commission on Discrimination and Hate Crimes.

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Rights for the objects and purposes hereinafter enumerated:

DIVISION OF CHARGE PROCESSING

Payable from General Revenue Fund:

For Personal Services	4,083,800
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State Employees' Retirement System	657,700
For State Contributions to Social Security	312,400
For Contractual Services	33,400
For Travel	22,800
For Commodities	6,800
For Printing	1,300
For Equipment	11,900
For Telecommunications Services	<u>67,700</u>
Total	\$5,197,800

Payable from Special Projects Division Fund:

For Personal Services	1,504,100
For Employee Retirement Contributions	

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Paid by Employer	45,100
For State Contributions to State Employees' Retirement System	242,300
For State Contributions to Social Security	115,100
For Group Insurance	372,000
For Contractual Services	106,700
For Travel	41,500
For Commodities	13,300
For Printing	9,300
For Equipment	9,600
For Telecommunications Services	<u>88,000</u>
Total	\$2,547,000

Section 15. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Human Rights for the objects and purposes hereinafter enumerated:

COMPLIANCE

Payable from General Revenue Fund:	
For Personal Services	593,700
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State Employees' Retirement System	95,600
For State Contributions to Social Security	45,400
For Contractual Services	3,600
For Travel	12,900
For Commodities	2,100
For Printing	1,000
For Telecommunications Services	<u>14,000</u>
Total	\$768,300

ARTICLE 62

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Human Rights Commission for the objects and purposes hereinafter enumerated:

GENERAL OFFICE

Payable from General Revenue Fund:	
For Personal Services	960,800
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State Employees' Retirement System	154,800
For State Contributions to Social Security	73,500
For Contractual Services	161,300
For Travel	29,300
For Commodities	12,700
For Printing	4,400
For Equipment	13,600
For Electronic Data Processing	2,900
For Telecommunications Services	<u>26,300</u>
Total	\$1,439,600

ARTICLE 63

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to the Department of Veterans' Affairs:

CENTRAL OFFICE

For Personal Services	1,395,700
For Employee Retirement Contributions	

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Paid by Employer	0
For State Contributions to the State Employees' Retirement System	224,800
For State Contributions to Social Security	106,700
For Contractual Services	373,600
For Travel	19,900
For Commodities	9,900
For Printing	5,900
For Equipment	2,000
For Electronic Data Processing	1,055,100
For Telecommunications Services	35,400
For Operation of Auto Equipment	10,200
Total	\$3,239,200

Section 10. The following named sums, or so much thereof as may be necessary, are appropriated from the General Revenue Fund to the Department of Veterans' Affairs for the objects and purposes and in the amounts set forth as follows:

GRANTS-IN-AID

For Bonus Payments to War Veterans and Peacetime Crisis Survivors	97,800
For Providing Educational Opportunities for Children of Certain Veterans, as provided by law	163,700
For Specially Adapted Housing for Veterans	120,200
For Cartage and Erection of Veterans' Headstones	615,800
For Cartage and Erection of Veterans' Headstones/Prior Years Claims	34,200
Total	\$1,031,700

Section 15. The sum of \$825,900, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Veterans' Affairs for the payment of scholarships to students who are dependents of Illinois resident military personnel declared to be prisoners of war, missing in action, killed or permanently disabled, as provided by law.

Section 20. The sum of \$350,000, or so much thereof as may be necessary, is appropriated from the World War II Illinois Veterans' Memorial Fund to the Department of Veterans' Affairs for grants associated with the construction and maintenance of an Illinois World War II Memorial.

Section 25. The sum of \$250,000, or so much thereof as may be necessary, is appropriated from the Illinois Military Family Relief Fund to the Department of Veterans' Affairs for the payment of benefits authorized under the Survivor's Compensation Act.

Section 30. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Veterans' Affairs for objects and purposes hereinafter named:

VETERANS' FIELD SERVICES

Payable from the General Revenue Fund:	
For Personal Services	2,218,600
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to the State Employees' Retirement system	357,300
For State Contributions to Social Security	169,700
For Contractual Services	332,600
For Travel	42,000
For Commodities	11,100
For Printing	5,900
For Equipment	4,600

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For Electronic Data Processing	27,600
For Telecommunications Services	75,500
For Operation of Auto Equipment	<u>14,600</u>
Total	\$3,259,500

Section 35. The sum of \$3,164,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Veterans' Affairs for ordinary and contingent expenses of Illinois Veterans' Home at Anna.

Section 40. The sum of \$1,780,700, or so much thereof as may be necessary, is appropriated from the Anna Veterans' Home Fund to the Department of Veterans' Affairs for ordinary and contingent expenses of Illinois Veterans' Home at Anna.

Section 45. The sum of \$13,000, or so much thereof as may be necessary, is appropriated from the Anna Veterans' Home Fund to the Department of Veterans' Affairs for refunds.

Section 50. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Veterans' Affairs for the objects and purposes hereinafter named:

ILLINOIS VETERANS' HOME AT QUINCY

Payable from General Revenue Fund:

For Personal Services	12,458,600
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to the State	
Employees' Retirement System	1,966,300
For State Contributions to	
Social Security	925,600
For Contractual Services	5,000
For Commodities	100
For Electronic Data Processing	100
For Maintenance and Travel for	
Aided Persons	<u>1,300</u>
Total	\$15,357,000

Payable from Quincy Veterans' Home Fund:

For Personal Services	9,671,400
For Member Compensation	25,000
For Employee Retirement Contributions	
Paid by Employer	290,100
For State Contributions to the State	
Employees' Retirement System	1,561,700
For State Contributions to	
Social Security	739,900
For Contractual Services	2,446,800
For Travel	4,000
For Commodities	5,358,100
For Printing	23,700
For Equipment	112,400
For Electronic Data Processing	70,000
For Telecommunications Services	79,400
For Operation of Auto Equipment	60,000
For Refunds	<u>42,200</u>
Total	\$20,484,700

Section 55. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Veterans' Affairs for the objects and purposes hereinafter named:

ILLINOIS VETERANS' HOME AT LASALLE

Payable from General Revenue Fund:

For Personal Services	4,504,400
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to the State	
Employees' Retirement System	685,200

For State Contributions to Social Security	325,500
For Contractual Services	100
For Commodities	100
For Electronic Data Processing	<u>100</u>
Total	\$5,515,400
Payable from LaSalle Veterans' Home Fund:	
For Personal Services	1,048,100
For Employee Retirement Contributions	
Paid by Employer	31,400
For State Contributions to the State	
Employees' Retirement System	168,800
For State Contributions to	
Social Security	80,100
For Contractual Services	1,537,300
For Travel	2,500
For Commodities	639,500
For Printing	9,200
For Equipment	37,400
For Electronic Data Processing	33,400
For Telecommunications	23,700
For Operation of Auto Equipment	11,500
For Permanent Improvements	0
For Refunds	<u>10,800</u>
Total	\$3,633,700

Section 60. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Veterans' Affairs for the objects and purposes hereinafter named:

ILLINOIS VETERANS' HOME AT MANTENO

Payable from General Revenue Fund:	
For Personal Services	5,570,900
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to the State	
Employees' Retirement System	897,200
For State Contributions to	
Social Security	420,500
For Contractual Services	4,900
For the addition of 38 beds	<u>1,894,100</u>
Total	\$8,787,600
Payable from Manteno Veterans' Home	
Fund:	
For Personal Services	7,005,600
For Member Compensation	5,000
For Employee Retirement Contributions	
Paid by Employer	210,200
For State Contributions to the State	
Employees' Retirement System	1,129,100
For State Contributions to	
Social Security	536,000
For Contractual Services	3,833,400
For Travel	5,600
For Commodities	1,419,400
For Printing	19,500
For Equipment	99,000
For Electronic Data Processing	63,000
For Telecommunications Services	58,800
For Operation of Auto Equipment	48,400
For Refunds	<u>25,900</u>
Total	\$14,458,900

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Section 65. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Veterans' Affairs for the objects and purposes hereinafter named:

STATE APPROVING AGENCY

Payable from GI Education Fund:	
For Personal Services	422,300
For Employee Retirement Contributions	
Paid by Employer	12,700
For State Contributions to the State	
Employees' Retirement System	68,000
For State Contributions to	
Social Security	32,300
For Group Insurance	96,000
For Contractual Services	112,300
For Travel	93,700
For Commodities	57,800
For Printing	27,600
For Equipment	93,900
For Electronic Data Processing	59,200
For Telecommunications Services	31,600
For Operation of Auto Equipment	<u>34,000</u>
Total	\$1,141,400

Section 70. The sum of \$50,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Veterans' Affairs for a grant to the Veterans' Assistance Commission of DuPage County.

ARTICLE 64

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to meet the ordinary and contingent expenses of the Prisoner Review Board:

PAYABLE FROM GENERAL REVENUE FUND

For Personal Services	750,700
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	120,900
For State Contributions to	
Social Security	57,500
For Contractual Services	176,500
For Travel	103,700
For Commodities	12,100
For Printing	10,800
For Equipment	0
For Electronic Data Processing	18,000
For Telecommunications Services	37,700
For Operation of Auto Equipment	<u>30,700</u>
Total	\$1,318,600

Section 10. The amount of \$24,000, or so much thereof as may be necessary, is appropriated to the Prisoner Review Board from the General Revenue Fund for expenses relating to the victim notification units.

ARTICLE 65

Section 5. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the following divisions of the Department of Corrections.

FOR OPERATIONS
GENERAL OFFICE

For Personal Services	13,912,000
For Employee Retirement Contributions	

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Paid by Employer	0
For State Contributions to State Employees' Retirement System	2,240,700
For State Contributions to Social Security	1,064,400
For Contractual Services	6,164,200
For Travel	334,900
For Commodities	375,300
For Printing	47,500
For Equipment	234,300
For Electronic Data Processing	7,684,500
For Telecommunications Services	2,805,400
For Operation of Auto Equipment	255,500
For Sheriffs' Fees for Conveying Prisoners	374,900
For support costs associated with the Criminal Law and Corrections Task Force	0
For payment of claims as provided by the "Workers' Compensation Act" or the "Workers' Occupational Diseases Act", including Treatment, Expenses and Benefits Payable for Total Temporary Incapacity for Work	2,698,600
Expenditures from appropriations for treatment and expense may be made after the Department of Corrections has certified that the injured person was employed and that the nature of the injury is compensable in accordance with the provisions of the Workers' Compensation Act or the Workers' Occupational Diseases Act, and then has determined the amount of such compensation to be paid to the injured person. Expenditures for this purpose may be made by the Department of Corrections without regard to the fiscal year in which benefit or service was rendered or cost incurred as allowable or provided by the Workers' Compensation Act or the Workers' Occupational Diseases Act.	
For Tort Claims	470,400
For the State's share of Assistant State's Attorneys' salaries - reimbursement to counties pursuant to Chapter 53 of the Illinois Revised Statutes	418,200
For Repairs, Maintenance and Other Capital Improvements	<u>1,452,300</u>
Total	\$40,533,100
SCHOOL DISTRICT	
For Personal Services	16,526,000
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate Compensation	37,500
For State Contributions to State Employees' Retirement System	2,661,700
For State Contributions to Teachers' Retirement System	6,200
For State Contributions to Social Security	1,264,300
For Contractual Services	10,224,100
For Travel	81,500
For Commodities	788,100
For Printing	89,700
For Equipment	92,900
For Telecommunications Services	6,200
For Operation of Auto Equipment	<u>13,000</u>
Total	\$31,791,200
FIELD SERVICES	
For Personal Services	40,719,200

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For Employee Retirement Contributions Paid by Employer	0
For Student, Member and Inmate Compensation	106,800
For State Contributions to State Employees' Retirement System	6,558,200
For State Contributions to Social Security	3,115,000
For Contractual Services	33,842,000
For Travel	209,000
For Travel and Allowance for Prisoners	3,800
For Commodities	761,900
For Printing	16,200
For Equipment	530,800
For Telecommunications Services	7,323,700
For Operation of Auto Equipment	<u>1,890,860</u>
Total	\$95,077,400

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Corrections from the General Revenue Fund for:

STATEVILLE CORRECTIONAL CENTER

For Personal Services	58,715,000
For Employee Retirement Contributions Paid by Employer	0
For Student, Member and Inmate Compensation	307,600
For State Contributions to State Employees' Retirement System	9,456,600
For State Contributions to Social Security	4,491,700
For Contractual Services	13,395,700
For Travel	74,900
For Travel and Allowances for Committed, Paroled and Discharged Prisoners	28,500
For Commodities	5,475,300
For Printing	81,600
For Equipment	22,700
For Telecommunications Services	370,200
For Operation of Auto Equipment	<u>513,000</u>
Total	\$92,932,800

THOMSON CORRECTIONAL CENTER

For Personal Services	0
For Employee Retirement Contributions Paid by Employer	0
For Student, Member and Inmate Compensation	0
For State Contributions to State Employees' Retirement System	0
For State Contributions to Social Security	0
For Contractual Services	0
For Travel	0
For Travel and Allowances for Committed, Paroled and Discharged Prisoners	0
For Commodities	0
For Printing	0
For Equipment	0
For Telecommunications Services	0

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For Operation of Auto Equipment	0
Total	\$0
DECATUR WOMEN'S CORRECTIONAL CENTER	
For Personal Services	11,747,100
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate	
Compensation	97,200
For State Contributions to State	
Employees' Retirement System	1,892,000
For State Contributions to	
Social Security	898,700
For Contractual Services	3,145,000
For Travel	5,700
For Travel and Allowances for	
Committed, Paroled and	
Discharged Prisoners	23,400
For Commodities	664,500
For Printing	15,400
For Equipment	71,500
For Telecommunications Services	58,300
For Operation of Auto Equipment	47,300
Total	\$18,666,100
DWIGHT CORRECTIONAL CENTER	
For Personal Services	19,546,200
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate	
Compensation	135,600
For State Contributions to State	
Employees' Retirement System	3,148,100
For State Contributions to	
Social Security	1,495,300
For Contractual Services	6,983,100
For Travel	27,800
For Travel and Allowances for Committed,	
Paroled and Discharged Prisoners	15,900
For Commodities	2,087,600
For Printing	25,000
For Equipment	96,100
For Telecommunications Services	152,400
For Operation of Auto Equipment	<u>176,100</u>
Total	\$33,889,200
LINCOLN CORRECTIONAL CENTER	
For Personal Services	11,121,600
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate	
Compensation	216,800
For State Contributions to State	
Employees' Retirement System	1,791,300
For State Contributions to	
Social Security	850,800
For Contractual Services	5,240,600
For Travel	4,300
For Travel and Allowances for Committed,	
Paroled and Discharged Prisoners	13,500
For Commodities	1,064,500
For Printing	14,500

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For Equipment	81,300
For Telecommunications Services	80,200
For Operation of Auto Equipment	<u>67,200</u>
Total	\$20,546,600
DIXON CORRECTIONAL CENTER	
For Personal Services	25,382,400
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate	
Compensation	446,600
For State Contributions to State	
Employees' Retirement System	4,088,100
For State Contributions to	
Social Security	1,941,800
For Contractual Services	9,521,800
For Travel	18,300
For Travel and Allowances for Committed,	
Paroled and Discharged Prisoners	22,800
For Commodities	2,624,900
For Printing	26,400
For Equipment	112,300
For Telecommunications Services	145,500
For Operation of Auto Equipment	<u>197,000</u>
Total	\$44,527,900
EAST MOLINE CORRECTIONAL CENTER	
For Personal Services	12,992,500
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate	
Compensation	290,500
For State Contributions to State	
Employees' Retirement System	2,092,600
For State Contributions to	
Social Security	993,900
For Contractual Services	3,352,200
For Travel	14,200
For Travel and Allowances for Committed,	
Paroled and Discharged Prisoners	46,800
For Commodities	1,372,400
For Printing	13,800
For Equipment	90,300
For Telecommunications Services	75,300
For Operation of Auto Equipment	<u>78,500</u>
Total	\$21,413,000
HILL CORRECTIONAL CENTER	
For Personal Services	14,908,500
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate	
Compensation	332,700
For State Contributions to State	
Employees' Retirement System	2,401,200
For State Contributions to Social Security	1,140,500
For Contractual Services	5,243,600
For Travel	7,700
For Travel and Allowance for Committed, Paroled	
and Discharged Prisoners	33,800
For Commodities	2,400,200
For Printing	10,700

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For Equipment	116,600
For Telecommunications Services	46,300
For Operation of Auto Equipment	<u>63,200</u>
Total	\$26,705,000
ILLINOIS RIVER CORRECTIONAL CENTER	
For Personal Services	17,125,800
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate	
Compensation	403,300
For State Contributions to State	
Employees' Retirement System	2,758,300
For State Contributions to Social Security	1,310,200
For Contractual Services	5,722,200
For Travel	17,000
For Travel and Allowance for Committed, Paroled	
and Discharged Prisoners	27,100
For Commodities	1,986,900
For Printing	16,000
For Equipment	103,500
For Telecommunications Services	69,600
For Operation of Auto Equipment	<u>60,400</u>
Total	\$29,600,300
DANVILLE CORRECTIONAL CENTER	
For Personal Services	16,838,700
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate	
Compensation	361,200
For State Contributions to State	
Employees' Retirement System	2,712,100
For State Contributions to	
Social Security	1,288,100
For Contractual Services	4,664,200
For Travel	10,500
For Travel and Allowances for Committed,	
Paroled and Discharged Prisoners	10,500
For Commodities	2,030,500
For Printing	22,000
For Equipment	111,200
For Telecommunications Services	89,900
For Operation of Auto Equipment	<u>155,500</u>
Total	\$28,294,400
JACKSONVILLE CORRECTIONAL CENTER	
For Personal Services	22,341,300
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate	
Compensation	466,500
For State Contributions to State	
Employees' Retirement System	3,598,300
For State Contributions to	
Social Security	1,709,100
For Contractual Services	3,912,700
For Travel	10,800
For Travel and Allowance for Committed,	
Paroled and Discharged Prisoners	47,400
For Commodities	2,852,300
For Printing	25,700

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For Equipment	147,400
For Telecommunications Services	89,600
For Operation of Auto Equipment	<u>161,500</u>
Total	\$35,362,600
LOGAN CORRECTIONAL CENTER	
For Personal Services	19,061,500
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate	
Compensation	427,600
For State Contributions to State	
Employees' Retirement System	3,070,100
For State Contributions to	
Social Security	1,458,200
For Contractual Services	3,919,000
For Travel	3,200
For Travel and Allowances for Committed,	
Paroled and Discharged Prisoners	26,600
For Commodities	2,530,500
For Printing	12,900
For Equipment	117,300
For Telecommunications Services	130,500
For Operation of Auto Equipment	<u>224,400</u>
Total	\$30,981,800
PONTIAC CORRECTIONAL CENTER	
For Personal Services	33,279,300
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate	
Compensation	222,600
For State Contributions to State	
Employees' Retirement System	5,360,000
For State Contributions to	
Social Security	2,545,800
For Contractual Services	7,009,600
For Travel	21,100
For Travel and Allowances for Committed,	
Paroled and Discharged Prisoners	10,000
For Commodities	3,052,900
For Printing	45,100
For Equipment	146,800
For Telecommunications Services	171,700
For Operation of Auto Equipment	<u>85,100</u>
Total	\$51,950,000
WESTERN ILLINOIS CORRECTIONAL CENTER	
For Personal Services	18,640,500
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate	
Compensation	355,600
For State Contributions to State	
Employees' Retirement System	3,002,300
For State Contributions to	
Social Security	1,425,900
For Contractual Services	5,042,700
For Travel	7,400
For Travel and Allowances for Committed,	
Paroled and Discharged Prisoners	43,000
For Commodities	2,211,600

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For Printing	33,400
For Equipment	109,200
For Telecommunications Services	51,200
For Operation of Auto Equipment	<u>98,900</u>
Total	\$31,021,700
CENTRALIA CORRECTIONAL CENTER	
For Personal Services	18,442,900
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate	
Compensation	292,100
For State Contributions to State	
Employees' Retirement System	2,970,400
For State Contributions to	
Social Security	1,410,900
For Contractual Services	4,509,200
For Travel	14,100
For Travel and Allowances for Committed,	
Paroled and Discharged Prisoners	35,700
For Commodities	1,766,900
For Printing	20,200
For Equipment	84,200
For Telecommunications Services	80,400
For Operation of Auto Equipment	<u>91,100</u>
Total	\$29,718,100
GRAHAM CORRECTIONAL CENTER	
For Personal Services	21,101,800
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate	
Compensation	273,900
For State Contributions to State	
Employees' Retirement System	3,398,700
For State Contributions to	
Social Security	1,614,300
For Contractual Services	7,428,000
For Travel	16,400
For Travel and Allowances for Committed,	
Paroled and Discharged Prisoners	15,400
For Commodities	2,292,300
For Printing	24,900
For Equipment	96,900
For Telecommunications Services	74,500
For Operation of Auto Equipment	<u>70,100</u>
Total	\$36,407,200
MENARD CORRECTIONAL CENTER	
For Personal Services	39,987,300
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate	
Compensation	374,400
For State Contributions to State	
Employees' Retirement System	6,440,400
For State Contributions to	
Social Security	3,059,100
For Contractual Services	8,070,100
For Travel	43,800
For Travel and Allowances for Committed,	
Paroled and Discharged Prisoners	21,300

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For Commodities	4,759,800
For Printing	32,800
For Equipment	208,400
For Telecommunications Services	160,200
For Operation of Auto Equipment	<u>115,500</u>
Total	\$63,273,100
PINCKNEYVILLE CORRECTIONAL CENTER	
For Personal Services	18,814,000
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate Compensation	308,100
For State Contributions to State Employees' Retirement System	3,030,200
For State Contributions to Social Security	1,439,400
For Contractual Services	6,166,000
For Travel	14,800
For Travel and Allowances for Committed, Paroled and Discharged Prisoners	54,500
For Commodities	2,454,000
For Printing	26,400
For Equipment	91,900
For Telecommunications Services	67,200
For Operation of Auto Equipment	<u>35,400</u>
Total	\$32,501,900
SOUTHWESTERN ILLINOIS CORRECTIONAL CENTER	
For Personal Services	11,501,100
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate Compensation	151,700
For State Contributions to State Employees' Retirement System	1,852,400
For State Contributions to Social Security	879,800
For Contractual Services	3,884,500
For Travel	7,700
For Travel and Allowances for Committed, Paroled and Discharged Prisoners	5,400
For Commodities	753,800
For Printing	13,300
For Equipment	74,500
For Telecommunications Services	36,300
For Operation of Auto Equipment	<u>46,400</u>
Total	\$19,206,900
TAYLORVILLE CORRECTIONAL CENTER	
For Personal Services	12,210,200
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate Compensation	240,200
For State Contributions to State Employees' Retirement System	1,966,600
For State Contribution to Social Security	934,100
For Contractual Services	4,733,200
For Travel	2,900
For Travel and Allowance for Committed, Paroled and Discharged	

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Prisoners	23,800
For Commodities	1,119,400
For Printing	12,400
For Equipment	84,700
For Telecommunications Services	57,100
For Operation of Automotive Equipment	<u>54,200</u>
Total	\$21,438,800
VANDALIA CORRECTIONAL CENTER	
For Personal Services	19,995,300
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate Compensation	374,400
For State Contributions to State Employees' Retirement System	3,220,500
For State Contributions to Social Security	1,542,100
For Contractual Services	4,159,600
For Travel	16,300
For Travel and Allowances for Committed, Paroled and Discharged Prisoners	49,000
For Commodities	2,246,700
For Printing	22,900
For Equipment	56,400
For Telecommunications Services	98,300
For Operation of Auto Equipment	<u>122,800</u>
Total	\$31,904,300
BIG MUDDY RIVER CORRECTIONAL CENTER	
For Personal Services	18,620,200
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate Compensation	360,800
For State Contributions to State Employees' Retirement System	2,999,000
For State Contributions to Social Security	1,424,400
For Contractual Services	7,778,100
For Travel	22,100
For Travel and Allowances for Committed, Paroled and Discharged Prisoners	74,500
For Commodities	2,303,500
For Printing	23,700
For Equipment	116,200
For Telecommunications Services	140,200
For Operation of Auto Equipment	<u>101,500</u>
Total	\$33,964,200
LAWRENCE CORRECTIONAL CENTER	
For Personal Services	15,973,400
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate Compensation	209,000
For State Contributions to State Employees' Retirement System	2,572,700
For State Contributions to Social Security	1,222,000
For Contractual Services	3,775,800
For Travel	9,300

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For Travel and Allowances for Committed, Paroled and Discharged Prisoners	23,200
For Commodities	2,849,700
For Printing	21,000
For Equipment	85,100
For Telecommunications Services	128,500
For Operation of Auto Equipment	<u>41,100</u>
Total	\$26,910,800
ROBINSON CORRECTIONAL CENTER	
For Personal Services	12,217,200
For Employee Retirement Contributions Paid by Employer	0
For Student, Member and Inmate Compensation	235,100
For State Contributions to State Employees' Retirement System	1,967,700
For State Contribution to Social Security	934,600
For Contractual Services	3,549,600
For Travel	17,000
For Travel and Allowances for Committed, Paroled and Discharged Prisoners	11,100
For Commodities	1,490,100
For Printing	27,200
For Equipment	93,300
For Telecommunications Services	33,100
For Operation of Automotive Equipment	<u>82,800</u>
Total	\$20,658,800
SHAWNEE CORRECTIONAL CENTER	
For Personal Services	17,459,300
For Employee Retirement Contributions Paid by Employer	0
For Student, Member and Inmate Compensation	402,200
For State Contributions to State Employees' Retirement System	2,812,000
For State Contributions to Social Security	1,335,600
For Contractual Services	5,830,000
For Travel	13,400
For Travel and Allowances for Committed, Paroled and Discharged Prisoners	99,000
For Commodities	2,517,300
For Printing	19,400
For Equipment	93,100
For Telecommunications Services	85,300
For Operation of Auto Equipment	<u>84,300</u>
Total	\$30,750,900
TAMMS CORRECTIONAL CENTER	
For Personal Services	17,259,500
For Employee Retirement Contributions Paid by Employer	0
For Student, Member and Inmate Compensation	125,400
For State Contributions to State Employees' Retirement System	2,779,800
For State Contributions to Social Security	1,320,400

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For Contractual Services	4,721,600
For Travel	32,400
For Travel and Allowance for Committed, Paroled and Discharged Prisoners	1,900
For Commodities	961,400
For Printing	13,900
For Equipment	96,200
For Telecommunications Services	127,500
For Operation of Auto Equipment	<u>68,100</u>
Total	\$27,508,100

VIENNA CORRECTIONAL CENTER

For Personal Services	16,958,800
For Employee Retirement Contributions Paid by Employer	0
For Student, Member and Inmate Compensation	255,300
For State Contributions to State Employees' Retirement System	2,731,400
For State Contributions to Social Security	1,297,400
For Contractual Services	3,385,400
For Travel	5,400
For Travel and Allowances for Committed, Paroled and Discharged Prisoners	44,600
For Commodities	2,589,900
For Printing	16,400
For Equipment	101,100
For Telecommunications Services	72,900
For Operation of Auto Equipment	<u>95,300</u>
Total	\$27,553,900

SHERIDAN CORRECTIONAL CENTER

For Personal Services	17,670,100
For Employee Retirement Contributions Paid by Employer	0
For Student, Member and Inmate Compensation	404,700
For State Contributions to State Employees' Retirement System	2,846,000
For State Contributions to Social Security	1,351,700
For Contractual Services	20,358,700
For Travel	50,500
For Travel and Allowances for Committed, Paroled and Discharged Prisoners	75,300
For Commodities	1,768,400
For Printing	54,100
For Equipment	288,000
For Telecommunications Services	231,900
For Operation of Auto Equipment	<u>260,500</u>
Total	\$45,359,900

Section 15. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Corrections from the General Revenue Fund:

ILLINOIS YOUTH CENTER - CHICAGO

For Personal Services	4,196,900
For Employee Retirement Contributions Paid by Employer	0
For Student, Member and Inmate Compensation	9,700
For State Contributions to State	

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Employees' Retirement System	676,000
For State Contributions to Social Security	321,100
For Contractual Services	2,556,200
For Travel	6,700
For Travel and Allowances for Committed,	
Paroled and Discharged Prisoners	300
For Commodities	207,800
For Printing	3,300
For Equipment	49,800
For Telecommunications Services	34,400
For Operation of Auto Equipment	<u>24,900</u>
Total	\$8,087,100
ILLINOIS YOUTH CENTER - HARRISBURG	
For Personal Services	11,782,300
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate Compensation	62,900
For State Contributions to State Employees' Retirement System	1,897,700
For State Contributions to Social Security	901,300
For Contractual Services	2,247,300
For Travel	5,600
For Travel and Allowances for Committed,	
Paroled and Discharged Prisoners	4,200
For Commodities	269,400
For Printing	19,300
For Equipment	67,700
For Telecommunications Services	65,900
For Operation of Auto Equipment	<u>36,100</u>
Total	\$17,359,700
ILLINOIS YOUTH CENTER - JOLIET	
For Personal Services	10,637,900
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate Compensation	46,800
For State Contributions to State Employees' Retirement System	1,713,400
For State Contributions to Social Security	813,800
For Contractual Services	1,839,800
For Travel	4,100
For Travel and Allowances for Committed,	
Paroled and Discharged Prisoners	2,100
For Commodities	438,300
For Printing	7,900
For Equipment	69,200
For Telecommunications Services	60,300
For Operation of Auto Equipment	<u>29,000</u>
Total	\$15,662,600
ILLINOIS YOUTH CENTER - KEWANEE	
For Personal Services	8,544,100
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate Compensation	11,100

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For State Contributions to State Employees' Retirement System	1,376,100
For State Contributions to Social Security	654,800
For Contractual Services	3,906,800
For Travel	7,800
For Travel Allowances for Committed, Paroled and Discharged Prisoners	1,100
For Commodities	453,200
For Printing	7,900
For Equipment	43,700
For Telecommunications Services	90,400
For Operation of Auto Equipment	29,000
Total	\$15,126,000
ILLINOIS YOUTH CENTER - MURPHYSBORO	
For Personal Services	5,734,900
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate Compensation	16,600
For State Contributions to State Employees' Retirement System	923,700
For State Contributions to Social Security	438,800
For Contractual Services	1,129,100
For Travel	11,900
For Travel Allowances for Committed, Paroled and Discharged Prisoners	2,400
For Commodities	317,700
For Printing	8,600
For Equipment	58,100
For Telecommunications Services	39,200
For Operation of Auto Equipment	18,800
Total	\$8,699,800
ILLINOIS YOUTH CENTER - PERE MARQUETTE	
For Personal Services	2,309,600
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate Compensation	15,700
For State Contributions to State Employees' Retirement System	372,000
For State Contributions to Social Security	176,700
For Contractual Services	394,600
For Travel	1,000
For Travel and Allowances for Committed, Paroled and Discharged Prisoners	1,400
For Commodities	174,000
For Printing	5,200
For Equipment	50,300
For Telecommunications Services	73,200
For Operation of Auto Equipment	17,100
Total	\$3,590,800
ILLINOIS YOUTH CENTER - RUSHVILLE	
For Personal Services	0
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member, and Inmate	

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Compensation	0
For State Contribution to State	
Employees' Retirement System	0
For State Contributions to	
Social Security	0
For Contractual Services	0
For Travel	0
For Travel Allowance for Committed,	
Paroled and Discharged Prisoners	0
For Commodities	0
For Printing	0
For Equipment	0
For Telecommunications	0
For Operation of Auto Equipment	0
For Deposit into Travel and Allowance	
Revolving Fund	0
Total	\$0
ILLINOIS YOUTH CENTER - ST. CHARLES	
For Personal Services	15,204,300
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate	
Compensation	68,400
For State Contributions to State	
Employees' Retirement System	2,448,800
For State Contributions to	
Social Security	1,163,100
For Contractual Services	3,620,900
For Travel	41,600
For Travel and Allowances for Committed,	
Paroled and Discharged Prisoners	900
For Commodities	1,223,600
For Printing	19,200
For Equipment	101,500
For Telecommunications Services	132,600
For Operation of Auto Equipment	148,600
Total	\$24,173,500
ILLINOIS YOUTH CENTER - VALLEY VIEW	
For Personal Services	0
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate	
Compensation	0
For State Contributions to State	
Employees' Retirement System	0
For State Contributions to	
Social Security	0
For Contractual Services	0
For Travel	0
For Travel and Allowances for Committed,	
Paroled and Discharged Prisoners	0
For Commodities	0
For Printing	0
For Equipment	0
For Telecommunications Services	0
For Operation of Auto Equipment	0
For Ordinary and Contingent Expenses	0
Total	\$0
ILLINOIS YOUTH CENTER - WARRENVILLE	

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For Personal Services	5,420,600
For Employee Retirement Contributions	
Paid by Employer	0
For Student, Member and Inmate	
Compensation	20,200
For State Contributions to State	
Employees' Retirement System	873,100
For State Contributions to	
Social Security	414,600
For Contractual Services	1,237,900
For Travel	5,200
For Travel and Allowances for Committed,	
Paroled and Discharged Prisoners	100
For Commodities	138,200
For Printing	6,900
For Equipment	66,900
For Telecommunications Services	51,800
For Operation of Auto Equipment	<u>28,800</u>
Total	\$8,264,300

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Corrections from the Working Capital Revolving Fund:

ILLINOIS CORRECTIONAL INDUSTRIES

For Personal Services	10,185,200
For Employee Retirement Contributions	
Paid by Employer	305,600
For the Student, Member and Inmate	
Compensation	2,800,000
For State Contributions to State	
Employees' Retirement System	1,640,500
For State Contributions to	
Social Security	779,200
For Group Insurance	2,268,000
For Contractual Services	3,900,000
For Travel	154,500
For Commodities	35,000,000
For Printing	51,000
For Equipment	3,200,000
For Telecommunications Services	90,600
For Operation of Auto Equipment	800,000
For Repairs, Maintenance and Other	
Capital Improvements	750,000
For Refunds	<u>20,000</u>
Total	\$61,944,000

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of Corrections from the General Revenue Fund:

SEX OFFENDER TREATMENT AND MONITORING

For Personal Services	0
For Employee Retirement Contributions	
Paid by Employer	0
For the Student, Member and Inmate	
Compensation	0
For State Contributions to State	
Employees' Retirement System	0
For State Contributions to	
Social Security	0
For Contractual Services	300,000
For Travel	0
For Commodities	0

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For Printing	0
For Equipment	0
For Telecommunications Services	0
For Operation of Auto Equipment	<u>0</u>
Total	\$300,000

Section 30. The sum of \$104,294,200, or so much thereof as may be necessary, is appropriated from the Department of Corrections Reimbursement and Education Fund to meet the ordinary and contingent expenses of the Department of Corrections described below and having the estimated cost as follows:

For payment of expenses associated with School District Programs	14,000,000
For payment of expenses associated with federal programs, including, but not limited to, construction of additional beds, treatment programs, and juvenile supervision	57,200,000
For payment of expenses associated with miscellaneous programs, including, but not limited to, medical costs, food expenditures, and various construction costs	<u>33,094,200</u>
Total	\$104,294,200

Section 35. The sum of \$7,500,000, or so much thereof as may be necessary, is appropriated to the Department of Corrections from the General Revenue Fund for a grant to the Cook County Sheriff's Office for expenses associated with the operations of the Cook County Juvenile Detention Center.

Section 40. The amount of \$1,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Corrections for a grant to the Cook County Sheriff's Office for the expenses of the Cook County Boot Camp.

Section 45. The amounts appropriated for repairs and maintenance, and other capital improvements in Sections 5, 20, and 30 for repairs and maintenance, roof repairs and/or replacements, and miscellaneous capital improvements at the Department's various institutions, and are to include construction, reconstruction, improvements, repairs and installation of capital facilities, costs of planning, supplies, materials and all other expenses required for roof and other types of repairs and maintenance, capital improvements, and purchase of land.

No contract shall be entered into or obligation incurred for repairs and maintenance and other capital improvements from appropriations made in Sections 5, 20, and 30 of this Article until after the purposes and amounts have been approved in writing by the Governor.

Section 50. The amount of \$362,700, or so much thereof as may be necessary, is appropriated to the Department of Corrections from the General Revenue Fund for a grant to the City of Thomson for the reimbursement of costs incurred in relation to the construction of the Thomson Correctional Center.

Section 55. The amount of \$600,000, or so much thereof as may be necessary, is appropriated to the Department of Corrections from the General Revenue Fund for a grant to Operation Ceasefire.

Section 60. The amount of \$1,250,000, or so much thereof as may be necessary, is appropriated to the Department of Corrections from the Working Capital Revolving Fund for a grant to Operation Ceasefire.

Section 65. The amount of \$750,000, or so much thereof as may be necessary, is appropriated to the Department of Corrections from the Corrections Reimbursement Fund for a grant to Operation Ceasefire.

Section 70. The amount of \$25,000, or so much thereof as may be necessary, is appropriated to the Department of Corrections from the General Revenue Fund for a grant to the Ashanti Community Center for all costs associated with re-entry programs.

ARTICLE 66

Section 5. The sum of \$512,600, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Upper Illinois River Valley Development Authority for replenishment of a draw on the Debt Service Reserve Fund backing bonds issued on behalf of Waste Recovery - Illinois.

ARTICLE 67

Section 5. The sum of \$1,420,700, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Southwestern Illinois Development Authority for replenishment of a draw on the debt service reserve fund backing bonds issued on behalf of Spectrulite Consortium Inc.

Section 10. The sum of \$644,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Southwestern Illinois Development Authority for replenishment of a draw on the debt service reserve fund backing bonds issued on behalf of Waste Recovery-Illinois.

ARTICLE 68

Section 5. The sum of \$240,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Finance Authority for the purpose of interest buy-back as authorized under the Illinois Farm Development Act.

ARTICLE 69

Section 5. The amount of \$243,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the East St. Louis Financial Advisory Authority for the operating expenses of the City of East St. Louis Financial Advisory Authority.

ARTICLE 70

Section 5. The sum of \$36,131,000, or so much thereof as may be necessary, is appropriated from the Illinois Sports Facilities Fund to the Illinois Sports Facilities Authority for its corporate purposes.

ARTICLE 71

Section 5. The sum of \$31,590,000, or so much thereof as may be necessary, is appropriated from the Metropolitan Fair and Exposition Authority Improvement Bond Fund to the Metropolitan Pier and Exposition Authority for debt service on the Authority's Dedicated State Tax Revenue Bonds, issued pursuant to the "Metropolitan Fair and Exposition Authority Act", as amended.

Section 10. The sum of \$96,991,000, or so much thereof as may be necessary, is appropriated from the McCormick Place Expansion Project Fund to the Metropolitan Pier and Exposition Authority for debt service on the Authority's McCormick Place Expansion Project Bonds, issued pursuant to the "Metropolitan Pier and Exposition Authority Act", as amended

ARTICLE 72

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Capital Development Board:

GENERAL OFFICE

Payable from Capital Development Fund:	
For Personal Services	3,807,400
For Employee Retirement Contributions	
Paid by Employer	114,000
For State Contributions to State	
Employees' Retirement System	613,200
For State Contributions to	
Social Security	291,600
For Group Insurance	888,000
For Contractual Services	294,000
For Travel	33,000
For Commodities	30,300
For Equipment	29,400
For Telecommunications Services	92,000
For Operation of Auto Equipment	22,300
For Expenses of the Illinois	
Building Commission	<u>0</u>
Total	\$6,215,200
Payable from Capital Development Board Revolving Fund:	
For Personal Services	3,166,400
For Employee Retirement Contributions	
Paid by Employer	95,000
For State Contributions to State	

Employees' Retirement System	510,000
For State Contributions to Social Security	241,600
For Group Insurance	828,000
For Contractual Services	260,600
For Travel	265,600
For Commodities	29,400
For Printing	42,200
For Equipment	35,800
For Electronic Data Processing	185,200
For Operational purposes	769,900
For Telecommunications Services	119,500
For Review Staff	607,300
Payable from the School Infrastructure Fund:	
For operational purposes relating to the School Infrastructure Program	600,000
Payable from the Illinois Building Commission Revolving Fund:	
For Expenses to Administer the Illinois Building Commission Act, including Refunds	<u>0</u>
Total	\$7,756,500

ARTICLE 73

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

FOR OPERATIONS

OFFICE OF THE ADJUTANT GENERAL

Payable from General Revenue Fund:	
For Personal Services	1,176,000
For Employee Retirement Contributions	
Paid By Employer	0
For State Contributions to State Employees' Retirement System	189,400
For State Contributions to Social Security	90,000
For Contractual Services	17,300
For Travel	14,300
For Commodities	5,100
For Printing	4,200
For Equipment	4,900
For Electronic Data Processing	15,600
For Telecommunications Services	35,500
For Operation of Auto Equipment	19,200
For State Officer's Candidate School	700
For Lincoln's Challenge Stipend Payments	506,900
For Lincoln's Challenge	<u>3,118,700</u>
Total	\$5,197,800
Payable from Federal Support Agreement Revolving Fund:	
Army/Air Reimbursable Positions	7,521,350
Lincoln's Challenge	4,889,700
Lincoln's Challenge Stipend Payments	<u>1,200,000</u>
Total	\$13,611,050

FACILITIES OPERATIONS

Payable from General Revenue Fund:	
For Personal Services	4,296,300
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State Employees' Retirement System	692,000
For State Contributions to	

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Social Security	328,700
For Contractual Services	1,908,400
For Commodities	80,100
For Equipment	<u>14,500</u>
Total	\$7,320,000

Section 10. The sum of \$4,500,000, or so much thereof as may be necessary, is appropriated from the Federal Support Agreement Revolving Fund to the Department of Military Affairs for expenses related to Army National Guard Facilities operations and maintenance as provided for in the Cooperative Funding Agreements, including costs in prior years.

Section 15. The sum of \$296,600, or so much thereof as may be necessary, is appropriated from the Federal Support Agreement Revolving Fund to the Department of Military Affairs for expenses related to the Bartonville and Kankakee armories for operations and maintenance according to the Joint-Use Agreement, including costs in prior years.

Section 20. The sum of \$43,000 from the General Revenue Fund to the Department of Military Affairs for rehabilitation and minor construction at armories and camps.

Section 25. The sum of \$7,400, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Military Affairs for expenses related to the care and preservation of historic artifacts.

Section 30. The sum of \$1,461,200, or so much thereof as may be necessary, is appropriated from the Military Affairs Trust Fund to the Department of Military Affairs to support youth and other programs, provided such amounts shall not exceed funds to be made available from public or private sources.

Section 35. The sum of \$5,000,000, or so much thereof as may be necessary, is appropriated from the Illinois Military Family Relief Fund to the Department of Military Affairs for the issuance of grants to families of persons who are members of the Illinois National Guard or Illinois residents who are members of the armed forces of the United States and who have been called to active duty as a result of the September 11, 2001 terrorist attacks, including costs in prior years.

Section 40. The sum of \$0, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Military Affairs for grants of \$259,038 to the designee of an Armed Forces member "killed in the line of duty." The Armed Forces member must be on active duty in Operation Enduring Freedom or Operation Iraqi Freedom.

Section 45. No contract shall be entered into or obligation incurred for any expenditures made from an appropriation herein made in Section 20 until after the purpose and amounts have been approved in writing by the Governor.

ARTICLE 74

Section 5. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to meet the ordinary and contingent expenses of the Department of Transportation:

CENTRAL OFFICES, ADMINISTRATION AND PLANNING OPERATIONS

For Personal Services	21,800,500
For Employee Retirement Contribution	
Paid by State	0
For State Contributions to State	
Employees' Retirement System	3,511,200
For State Contributions to Social Security	1,620,000
For Contractual Services	4,774,800
For Travel	657,200
For Commodities	471,100
For Printing	800,400
For Equipment	116,400
For Equipment:	
Purchase of Cars & Trucks	0
For Telecommunications Services	399,300
For Operation of Automotive Equipment	159,400
Total	\$34,310,300

LUMP SUMS

Section 10. The following named amounts, or so much thereof as may be necessary, are

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appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

For Planning, Research and Development Purposes	480,000
For costs associated with asbestos abatement	552,400
For metropolitan planning and research purposes as provided by law, provided such amount shall not exceed funds to be made available from the federal government or local sources	25,000,000
For metropolitan planning and research purposes as provided by law	1,248,000
For federal reimbursement of planning activities as provided by the Transportation Equity Act for the 21st Century	1,750,000
For the federal share of the IDOT ITS Program, provided expenditures do not exceed funds to be made available by the Federal Government	2,000,000
For the state share of the IDOT ITS Corridor Program	2,880,000
For the Department's share of costs with the Illinois Commerce Commission for monitoring railroad crossing safety	<u>288,000</u>
Total	\$34,198,400

AWARDS AND GRANTS

Section 15. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

For Tort Claims, including payment pursuant to P.A. 80-1078	509,300
For representation and indemnification for the Department of Transportation, the Illinois State Police and the Secretary of State provided that the representation required resulted from the Road Fund portion of their normal operations	249,600
For Transportation Enhancement, Congestion Mitigation, Air Quality, High Priority and Scenic By-way Projects not eligible for inclusion in the Highway Improvement Program Appropriation provided expenditures do not exceed funds made available by the federal government	40,000,000
For auto liability payments for the Department of Transportation, the Illinois State Police and the Secretary of State provided that the liability resulted from the Road Fund portion of their normal operations	1,854,900
For grants to Illinois Universities for applied research on transportation	0
For payment of claims as provided by the "Workers' Compensation Act" or the "Workers' Occupational Diseases Act", including	

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Treatment, Expenses and Benefits Payable
for Total Temporary Incapacity for Work
for State Employees whose salaries are paid
from the Road Fund:

For Awards and Grants	<u>13,920,000</u>
Total	\$56,533,800

Expenditures from appropriations for treatment and expense may be made after the Department of Transportation has certified that the injured person was employed and that the nature of the injury is compensable in accordance with the provisions of the Workers' Compensation Act or the Workers' Occupational Diseases Act, and then has determined the amount of such compensation to be paid to the injured person. Expenditures for this purpose may be made by the Department of Transportation without regard to the fiscal year in which benefit or service was rendered or cost incurred as allowable or provided by the Workers' Compensation Act or the Workers' Occupational Diseases Act.

Section 20. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

BUREAU OF INFORMATION PROCESSING
OPERATIONS

For Personal Services	5,342,400
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State Employees' Retirement System	860,500
For State Contributions to Social Security	402,000
For Contractual Services	5,500,300
For Travel	53,200
For Commodities	23,100
For Equipment	6,200
For Electronic Data Processing	106,600
For Telecommunications	<u>1,043,200</u>
Total	\$13,337,500

Section 25. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

CENTRAL OFFICES, DIVISION OF HIGHWAYS
OPERATIONS

For Personal Services	26,746,700
For Extra Help	976,000
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State Employees' Retirement System	4,465,000
For State Contributions to Social Security	2,043,300
For Contractual Services	4,856,100
For Travel	498,400
For Commodities	357,300
For Equipment	243,600
For Equipment:	
Purchase of Cars and Trucks	0
For Telecommunications Services	2,473,000
For Operation of Automotive Equipment	<u>267,600</u>
Total	\$42,937,000

LUMP SUMS

Section 30. The sum of \$633,600, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for repair of damages by motorists to state vehicles and equipment or replacement of state vehicles and equipment, provided such amount shall not exceed funds to be made available from collections from claims filed by the Department to recover the costs of such damages.

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Section 35. The sum of \$500,000, or so much thereof as may be necessary, is appropriated from the Transportation Safety Highway Hire-back Fund to the Department of Transportation for agreements with the Illinois Department of State Police to provide patrol officers in highway construction work zones.

AWARDS AND GRANTS

Section 40. The sum of \$2,292,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for reimbursement to participating counties in the County Engineers Compensation Program, providing those reimbursements do not exceed funds to be made available from their federal highway allocations retained by the Department.

Section 45. The following named sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for grants to local governments for the following purposes:

For reimbursement of eligible expenses arising from local Traffic Signal Maintenance Agreements created by Part 468 of the Illinois Department of Transportation Rules and Regulations	2,880,000
For reimbursement of eligible expenses arising from City, County, and other State Maintenance Agreements	<u>13,581,100</u>
Total	\$16,461,100

REFUNDS

Section 50. The following named amount, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

For Refunds	26,900
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Section 55. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated from the Road Fund to the Department of Transportation for the ordinary and contingent expenses of the Division of Traffic Safety:

TRAFFIC SAFETY OPERATIONS

For Personal Services	5,102,000
For Employee Retirement Contributions Paid by State	0
For State Contributions to State Employees' Retirement System	821,700
For State Contributions to Social Security	363,400
For Contractual Services	1,269,300
For Travel	51,600
For Commodities	92,200
For Printing	273,600
For Equipment	11,000
For Equipment:	
Purchase of Cars and Trucks	0
For Telecommunications Services	102,300
For Operation of Automotive Equipment	<u>70,400</u>
Total	\$8,157,500

LUMP SUMS

Section 60. The sum of \$7,750,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for improvements to traffic safety, provided such amount not exceed funds to be made available from the federal government pursuant to the primary seatbelt enforcement incentive grant.

REFUNDS

Section 65. The following named amount, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

For Refunds	8,800
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Section 70. The following named sums, or so much thereof as may be necessary, for the

objects and purposes hereinafter named, are appropriated from the Cycle Rider Safety Training Fund, as authorized by Public Act 82-0649, to the Department of Transportation for the administration of the Cycle Rider Safety Training Program by the Division of Traffic Safety:

OPERATIONS

For Personal Services	151,700
For Employee Contribution to Retirement System by Employer	4,600
For State Contributions to State Employees' Retirement System	24,400
For State Contributions to Social Security	11,400
For Group Insurance	33,000
For Contractual Services	10,600
For Travel	13,800
For Commodities	1,000
For Printing	2,300
For Equipment	2,400
For Operation of Automotive Equipment	<u>5,200</u>
Total	\$260,400

AWARDS AND GRANTS

Section 75. The sum of \$2,600,000, or so much thereof as may be necessary, is appropriated from the Cycle Rider Safety Training Fund, as authorized by Public Act 82-0649, to the Department of Transportation for reimbursement to State and local universities and colleges for Cycle Rider Safety Training Programs.

Section 80. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DAY LABOR
OPERATIONS

For Personal Services	4,260,900
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State Employees' Retirement System	686,300
For State Contributions to Social Security	325,300
For Contractual Services	912,700
For Travel	226,800
For Commodities	95,400
For Equipment	186,600
For Equipment:	
Purchase of Cars and Trucks	71,400
For Telecommunications Services	22,300
For Operation of Automotive Equipment	<u>248,300</u>
Total	\$7,036,000

Section 85. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 1, SCHAUMBURG OFFICE
OPERATIONS

For Personal Services	75,479,600
For Extra Help	5,704,770
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State Employees' Retirement System	13,075,600
For State Contributions to Social Security	6,102,000
For Contractual Services	14,351,300
For Travel	207,500
For Commodities	5,303,300
For Equipment	1,657,500

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For Equipment:	
Purchase of Cars and Trucks	2,817,900
For Telecommunications Services	1,568,400
For Operation of Automotive Equipment	<u>6,168,800</u>
Total	\$132,436,670

Section 90. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 2, DIXON OFFICE
OPERATIONS

For Personal Services	24,479,700
For Extra Help	2,069,400
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State	
Employees' Retirement System	4,276,000
For State Contributions to Social Security	1,976,100
For Contractual Services	3,268,700
For Travel	207,800
For Commodities	2,838,000
For Equipment	1,090,500
For Equipment:	
Purchase of Cars and Trucks	1,019,100
For Telecommunications Services	354,000
For Operation of Automotive Equipment	<u>2,040,100</u>
Total	\$43,619,400

Section 95. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 3, OTTAWA OFFICE
OPERATIONS

For Personal Services	22,360,100
For Extra Help	2,276,900
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State	
Employees' Retirement System	3,968,100
For State Contributions to Social Security	1,848,400
For Contractual Services	2,668,200
For Travel	101,100
For Commodities	2,493,800
For Equipment	1,172,000
For Equipment:	
Purchase of Cars and Trucks	1,030,200
For Telecommunications Services	220,100
For Operation of Automotive Equipment	<u>2,175,600</u>
Total	\$40,314,500

Section 100. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 4, PEORIA OFFICE
OPERATIONS

For Personal Services	19,485,400
For Extra Help	2,141,800
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State	
Employees' Retirement System	3,483,300
For State Contributions to Social Security	1,614,300

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For Contractual Services	3,595,300
For Travel	120,000
For Commodities	1,155,000
For Equipment	903,600
For Equipment:	
Purchase of Cars and Trucks	750,200
For Telecommunications Services	227,800
For Operation of Automotive Equipment	<u>1,462,800</u>
Total	\$34,939,500

Section 105. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 5, PARIS OFFICE
OPERATIONS

For Personal Services	20,939,200
For Extra Help	1,652,300
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State	
Employees' Retirement System	3,638,600
For State Contributions to Social Security	1,693,400
For Contractual Services	2,599,800
For Travel	76,900
For Commodities	1,538,100
For Equipment	978,600
For Equipment:	
Purchase of Cars and Trucks	782,200
For Telecommunications Services	137,200
For Operation of Automotive Equipment	<u>1,765,100</u>
Total	\$35,801,400

Section 110. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 6, SPRINGFIELD OFFICE
OPERATIONS

For Personal Services	22,722,400
For Extra Help	1,500,000
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State	
Employees' Retirement System	3,901,300
For State Contributions to Social Security	1,808,000
For Contractual Services	2,973,600
For Travel	114,200
For Commodities	1,689,800
For Equipment	808,900
For Equipment:	
Purchase of Cars and Trucks	711,100
For Telecommunications Services	225,300
For Operation of Automotive Equipment	<u>2,219,700</u>
Total	\$38,674,300

Section 115. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 7, EFFINGHAM OFFICE
OPERATIONS

For Personal Services	15,165,800
For Extra Help	1,113,700
For Employee Retirement Contributions	

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Paid by State	0
For State Contributions to State	
Employees' Retirement System	2,622,000
For State Contributions to Social Security	1,210,000
For Contractual Services	1,811,300
For Travel	139,900
For Commodities	1,101,700
For Equipment	753,300
For Equipment:	
Purchase of Cars and Trucks	522,600
For Telecommunications Services	134,300
For Operation of Automotive Equipment	<u>913,100</u>
Total	\$25,487,700

Section 120. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 8, COLLINSVILLE OFFICE
OPERATIONS

For Personal Services	28,439,800
For Extra Help	1,849,300
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State	
Employees' Retirement System	4,878,400
For State Contributions to Social Security	2,260,800
For Contractual Services	5,169,100
For Travel	184,800
For Commodities	1,615,100
For Equipment	1,296,600
For Equipment:	
Purchase of Cars and Trucks	1,292,400
For Telecommunications Services	703,100
For Operation of Automotive Equipment	<u>1,831,500</u>
Total	\$49,520,900

Section 125. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

DISTRICT 9, CARBONDALE OFFICE
OPERATIONS

For Personal Services	15,039,800
For Extra Help	1,265,600
For Employee Retirement Contributions	
Paid by State	0
For State Contributions to State	
Employees' Retirement System	2,626,200
For State Contributions to Social Security	1,191,100
For Contractual Services	2,068,800
For Travel	63,600
For Commodities	795,600
For Equipment	718,800
For Equipment:	
Purchase of Cars and Trucks	597,900
For Telecommunications Services	100,300
For Operation of Automotive Equipment	<u>1,053,700</u>
Total	\$25,521,400

Section 130. The following named sums, or so much thereof as may be necessary, for the objects and purposes hereinafter named, are appropriated to the Department of Transportation for the ordinary and contingent expenses of Aeronautics Operations:

AERONAUTICS DIVISION

OPERATIONS

For Personal Services:	
Payable from the Road Fund	4,235,500
For Employee Retirement Contributions	
Paid by State:	
Payable from the Road Fund	0
For State Contributions to State	
Employees' Retirement System:	
Payable from the Road Fund	682,200
For State Contributions to Social Security:	
Payable from the Road Fund	319,700
For Contractual Services:	
Payable from the Road Fund	2,905,800
Payable from Air Transportation	
Revolving Fund	800,000
For Travel:	
Payable from the Road Fund	109,300
For Travel: Executive Air Transportation	
Expenses of the General Assembly:	
Payable from the General Revenue Fund	190,100
For Travel: Executive Air Transportation	
Expenses of the Governor's Office:	
Payable from the General Revenue Fund	181,600
For Commodities:	
Payable from Aeronautics Fund	149,500
Payable from the Road Fund	454,000
For Equipment:	
Payable from the General Revenue Fund	2,104,900
Payable from the Road Fund	269,800
For Equipment: Purchase of Cars and Trucks:	
Payable from the Road Fund	0
For Telecommunications Services:	
Payable from the Road Fund	95,000
For Operation of Automotive Equipment:	
Payable from the Road Fund	<u>20,100</u>
Total	\$12,517,500

REFUNDS

Section 135. The following named amount, or so much thereof as may be necessary, is appropriated from the Aeronautics Fund to the Department of Transportation for the objects and purposes hereinafter named:

For Refunds	500
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Section 140. The following named amount, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Transportation for the objects and purposes hereinafter named:

For Refunds	35,000
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AWARDS AND GRANTS

Section 145. The sum of \$400,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Transportation for such purposes as are described in Sections 31 and 34 of the Illinois Aeronautics Act, as amended.

LUMP SUM

Section 150. The sum of \$250,000, or so much thereof as may be necessary, is appropriated from the Tax and Assessment Recovery Fund to the Department of Transportation for payments to the Will County Treasurer for payments of property taxes from rental fees.

Section 155. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Road Fund to the Department of Transportation for the ordinary and contingent expenses incident to Public Transportation and Railroads Operations:

PUBLIC TRANSPORTATION DIVISION
OPERATIONS

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For Personal Services	1,500,800
For Employee Retirement Contributions	0
For State Contributions to State Employees' Retirement System	241,700
For State Contributions to Social Security	111,800
For Contractual Services	21,400
For Travel	16,500
For Commodities	2,400
For Equipment	11,600
For Equipment: Purchase of Cars and Trucks	18,000
For Telecommunications Services	20,300
For Operation of Automotive Equipment	<u>11,100</u>
Total	\$1,955,600

LUMP SUMS

Section 160. The sum of \$90,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Transportation for public transportation technical studies.

Section 165. The sum of \$631,000, or so much thereof as may be necessary, is appropriated from the Federal Mass Transit Trust Fund to the Department of Transportation for federal reimbursement of transit studies as provided by the Transportation Equity Act for the 21st Century.

Section 170. The sum of \$433,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Transportation for administrative expenses incurred in connection with the purposes of Section 18 of the Federal Transit Act (Section 5311 of the USC), as amended, provided such amount shall not exceed funds available from the Federal government under that Act.

AWARDS AND GRANTS

Section 175. The sum of \$350,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Transportation for making grants to eligible recipients of funding under Article II of the Downstate Public Transportation Act for the purpose of reimbursing the recipients which provide reduced fares for mass transportation services for students, handicapped persons and the elderly.

Section 180. The sum of \$38,000,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Transportation for making grants to the Regional Transportation Authority for the purpose of reimbursing the Service Boards for providing reduced fares for mass transportation services for students, handicapped persons, and the elderly to be allocated proportionately among the Service Boards based upon actual costs incurred by each Service Board for such reduced fares.

Section 185. The sum of \$186,000,000, or so much thereof as may be necessary, is appropriated from the Public Transportation Fund to the Department of Transportation for the purpose stated in Section 4.09 of the "Regional Transportation Authority Act", as amended.

Section 190. The sum of \$55,000,000, or so much thereof as may be necessary, is appropriated from the Public Transportation Fund to the Department of Transportation for making a grant to the Regional Transportation Authority for Additional State Assistance to be used for its purposes as provided in the "Regional Transportation Authority Act", but in no event shall this amount exceed the amount provided for in Sections 4.09 (c) and 4.09 (d) with respect to Strategic Capital Improvement bonds issued by the Regional Transportation Authority pursuant to the Regional Transportation Authority Act as amended in 1989.

Section 195. The sum of \$93,000,000, or so much thereof as may be necessary, is appropriated from the Public Transportation Fund to the Department of Transportation for making a grant to the Regional Transportation Authority for Additional Financial Assistance to be used for its purposes as provided in the "Regional Transportation Authority Act", but in no event shall this amount exceed the amount provided for in Sections 4.09 (c-5) and 4.09 (d) with respect to Strategic Capital Improvement bonds issued by the Regional Transportation Authority pursuant to the Regional Transportation Authority Act as amended in 1999.

Section 200. The following named sums, or so much thereof as may be necessary, are appropriated from the Downstate Public Transportation Fund to the Department of Transportation

for operating assistance grants to provide a portion of the eligible operating expenses for the following carriers for the purposes stated in Article II of Public Act 78-1109, as amended:

URBANIZED AREAS	
Champaign-Urbana Mass Transit District	11,412,700
Greater Peoria Mass Transit District	9,500,600
Rock Island County Metropolitan Mass Transit District	6,590,800
Rockford Mass Transit District	6,747,800
Springfield Mass Transit District	6,562,100
Bloomington-Normal Public Transit System	3,138,500
City of Decatur	3,138,000
City of Pekin	471,100
River Valley Metro Mass Transit District	1,062,900
City of South Beloit	42,700
City of DeKalb	<u>0</u>
Total, Urbanized Areas	\$48,667,200

NON-URBANIZED AREAS	
City of Danville	1,141,400
City of Quincy	1,569,000
RIDES Mass Transit District	1,452,300
South Central Illinois Mass Transit District	1,479,800
City of Galesburg	713,400
Jackson County Mass Transit District	121,000
City of Macomb	0
Shawnee Mass Transit District	<u>0</u>
Total, Non-Urbanized Areas	\$6,476,900

Section 205. The sum of \$17,800,000, or so much thereof as may be necessary, is appropriated from the Metro East Public Transportation Fund to the Department of Transportation for operating assistance grants subject to the provisions of the "Downstate Public Transportation Act", as amended by the 81st General Assembly.

Section 210. The sum of \$300,000, or so much thereof as may be necessary, is appropriated from the Downstate Public Transportation Fund to the Department of Transportation for audit adjustments in accordance with Section 15.1 of the "Downstate Public Transportation Act", approved August 9, 1974, as amended.

RAIL PASSENGER AWARDS AND GRANTS

Section 215. The sum of \$12,100,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Transportation for funding the State's share of intercity rail passenger service and making necessary expenditures for services and other program improvements.

Section 220. The following named sums, or so much thereof as may be necessary, are appropriated from the Motor Fuel Tax Fund to the Department of Transportation for the ordinary and contingent expenses incident to the operations and functions of administering the provisions of the "Illinois Highway Code", relating to use of Motor Fuel Tax Funds by the counties, municipalities, road districts and townships:

MOTOR FUEL TAX ADMINISTRATION OPERATIONS	
For Personal Services	6,035,300
For Employee Retirement	
Contributions Paid by State	181,100
For State Contributions to State Employees' Retirement System	972,000
For State Contributions to Social Security	440,000
For Group Insurance	1,056,000
For Contractual Services	63,400
For Travel	92,300
For Commodities	7,500
For Printing	38,000
For Equipment	12,800

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For Telecommunications Services	23,200
For Operation of Automotive Equipment	<u>7,400</u>
Total	\$8,929,000

AWARDS AND GRANTS

Section 225. The following named sums, or so much thereof as are available for distribution in accordance with Section 8 of the Motor Fuel Tax Law, are appropriated from the Motor Fuel Tax Fund to the Department of Transportation for the purposes stated:

DISTRIBUTIVE ITEMS

For apportioning, allotting, and paying
as provided by law:

To Counties	232,300,000
To Municipalities	325,800,000
To Counties for Distribution to Road Districts	<u>105,500,000</u>
Total	\$663,600,000

Section 230. The following named sums, or so much thereof as may be necessary for the agencies hereinafter named, are appropriated from the Road Fund to the Department of Transportation for implementation of the Commercial Motor Vehicle Safety Program under provisions of Title IV of the Surface Transportation Assistance Act of 1982, as amended by the Transportation Equity Act for the 21st Century:

FOR THE DIVISION OF TRAFFIC SAFETY

For Personal Services	661,600
For Employee Retirement Contributions Paid by the State	0
For State Contributions to State Employees' Retirement System	106,600
For State Contributions to Social Security	49,500
For Contractual Services	331,500
For Travel	73,900
For Commodities	24,000
For Printing	34,300
For Equipment	47,600
For Telecommunications Services	1,900
For Operation of Automotive Equipment	<u>4,900</u>
Total	\$1,335,800

FOR THE DEPARTMENT OF STATE POLICE

For Personal Services	4,377,600
For Employee Retirement Contributions Paid by the State	0
For State Contributions to State Employees' Retirement System	705,100
For State Contributions to Social Security	68,500
For Contractual Services	457,100
For Travel	325,800
For Commodities	249,700
For Printing	89,800
For Equipment	618,300
For Equipment: Purchase of Cars and Trucks	595,100
For Telecommunications Services	243,300
For Operation of Automotive Equipment	<u>309,100</u>
Total	\$8,039,400

Section 235. The following named sums, or so much thereof as may be necessary for the agencies hereinafter named, are appropriated from the Road Fund to the Department of Transportation for implementation of the Illinois Highway Safety Program under provisions of the National Highway Safety Act of 1966, as amended:

FOR THE SECRETARY OF STATE

For Personal Services	165,300
For Employee Retirement Contributions	

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Paid by the State	0
For State Contributions to State Employees' Retirement System	26,600
For State Contributions to Social Security	20,300
For Contractual Services	76,000
For Travel	12,000
For Commodities	18,500
For Printing	47,700
For Equipment	28,500
For Operation of Automotive Equipment	<u>26,000</u>
Total	\$420,900
FOR THE DEPARTMENT OF STATE POLICE	
For Personal Services	2,267,300
For Employee Retirement Contributions	
Paid by the State	0
For State Contributions to State Employees' Retirement System	365,200
For State Contributions to Social Security	32,200
For Contractual Services	17,700
For Travel	10,200
For Commodities	12,600
For Equipment	14,000
For Operation of Auto Equipment	<u>150,500</u>
Total	\$2,869,700
FOR THE DIVISION OF TRAFFIC SAFETY	
For Personal Services	497,500
For Employee Retirement Contributions	
Paid by the State	0
For State Contributions to State Employees' Retirement System	80,100
For State Contributions to Social Security	39,900
For Contractual Services	3,034,500
For Travel	79,900
For Commodities	192,300
For Printing	174,000
For Equipment	15,500
For Telecommunications Services	<u>2,200</u>
Total	\$4,115,900
FOR THE DEPARTMENT OF PUBLIC HEALTH	
For Contractual Services	108,900
For Travel	1,000
For Commodities	<u>1,600</u>
Total	\$111,500
FOR THE ILLINOIS LAW ENFORCEMENT STANDARDS TRAINING BOARD	
For Contractual Services	120,000
For Printing	<u>5,000</u>
Total	\$125,000
FOR LOCAL GOVERNMENTS	
For local highway safety projects by county and municipal governments, state and private universities and other private entities	5,269,200

Section 240. The following named sums, or so much thereof as may be necessary for the agencies hereafter named, are appropriated from the Road Fund to the Department of Transportation for implementation of the Alcohol Traffic Safety Programs of Title XXIII of the Surface Transportation Assistance Act of 1982, as amended by the Transportation Equity Act for the 21st Century:

FOR THE ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS (410)

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For Contractual Services	13,000
For Travel	<u>19,000</u>
Total	\$32,000
FOR THE DIVISION OF TRAFFIC SAFETY (410)	
For Contractual Services	0
For Travel	3,100
For Commodities	142,300
For Printing	108,900
For Equipment	<u>424,000</u>
Total	\$678,300
FOR THE SECRETARY OF STATE (410)	
For Personal Services	32,000
For Employee Retirement Contributions	
Paid by the State	0
For the State Contribution to State	
Employees' Retirement System	5,200
For the State Contribution to Social	
Security	500
For Contractual Services	28,100
For Travel	3,000
For Commodities	70,100
For Printing	59,500
For Equipment	42,400
For Telecommunication Services	1,000
For Operation of Auto Equipment	<u>1,800</u>
Total	\$243,600
FOR THE DEPARTMENT OF STATE POLICE (410)	
For Personal Services	841,500
For Employee Retirement Contributions	
Paid by the State	0
For the State Contribution to State	
Employees' Retirement System	135,500
For the State Contribution to Social	
Security	10,900
For Commodities	3,500
For Equipment	0
For Operation of Auto Equipment	<u>58,200</u>
Total	\$1,049,600
FOR THE ILLINOIS LAW ENFORCEMENT	
STANDARDS TRAINING BOARD (410)	
For Contractual Services	220,000
For Printing	<u>5,000</u>
Total	\$225,000
FOR LOCAL GOVERNMENTS	
For local highway safety projects	
by county and municipal governments,	
state and private universities and other	
other private entities	1,593,200
Section 245. The following named sums or so much thereof as may be necessary for the	
agencies hereafter named, are appropriated from the Road Fund to the Department of	
Transportation for implementation of the Section 163 Impaired Driving Incentive Grant Program	
(.08 Alcohol) as authorized by the Transportation Equity Act for the 21st Century:	
FOR THE DIVISION OF TRAFFIC SAFETY (.08)	
For Contractual Services	5,538,400
For Commodities	22,000
For Equipment	262,000
For Telecommunications	<u>27,500</u>
Total	\$5,849,900
FOR THE DEPARTMENT OF STATE POLICE (.08)	

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For Equipment	<u>63,600</u>
Total	\$63,600
FOR THE ILLINOIS LIQUOR CONTROL COMMISSION (.08)	
For Contractual Services	146,500
For Travel	11,000
For Commodities	9,500
For Printing	51,000
For Telecommunications	<u>2,500</u>
Total	\$220,500

FOR LOCAL GOVERNMENTS (.08)

For local highway safety projects
by county and municipal governments,
state and private universities and other
other private entities

1,311,400

Section 250. The sum of \$409,400, or so much thereof as may be necessary is appropriated from the General Revenue Fund to the Department of Transportation for the expenses of an emissions testing/inspection program for diesel powered vehicles in the counties of Cook, DuPage, Lake, Kane, Mc Henry, Will, Madison, St. Clair and Monroe and the townships of Aux Sable, Goose Lake and Oswego.

Section 255. The sum of \$700,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Transportation for the Intertownship Transportation Program for Northwest Suburban Cook County.

Section 260. No contract shall be entered into or obligation incurred or any expenditure made from an appropriation herein made in

Section 145 GRF Aeronautics
Section 175 GRF Reduced Fares Downstate
Section 180 GRF Reduced Fares RTA
Section 190 SCIP Debt Service I
Section 195 SCIP Debt Service II
Section 215 GRF Rail Passenger

of this Article until after the purpose and the amount of such expenditure has been approved in writing by the Governor.

ARTICLE 75

CENTRAL ADMINISTRATION AND PLANNING

LUMP SUMS

Section 5. The sum of \$1,084,710 or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation and reappropriation heretofore made in the line item, "For Planning, Research and Development Purposes" for the Central Offices, Administration and Planning in Article 8, Section 1a and Article 8A, Section 1a of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 10. The sum of \$2,037,928, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation and reappropriation concerning Asbestos Abatement heretofore made in Article 8, Section 1a and Article 8A, Section 1a1 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 15. The sum of \$21,903,575, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation and reappropriation heretofore made for metropolitan planning in Article 8 Section 1a and Article 8A, Section 1a2 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 20. The sum of \$4,212,632, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation and reappropriation heretofore made in Article 8, Section 1a and Article 8A, Section 1a3 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for metropolitan planning and research purposes.

Section 25. The sum of \$2,060,650, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 1a4 of Public Act 93-91, as amended, is reappropriated from the Road Fund to

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the Department of Transportation for Phase II of the ADVANCE demonstration project for the state share as provided by law.

Section 30. The sum of \$3,510,681, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 1a5 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for Phase II of the ADVANCE demonstration project for the federal and private share as provided by law.

Section 35. The sum of \$19,527,761, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation and reappropriation heretofore made in Article 8, Section 1a and Article 8A, Section 1a6 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the federal share of the IDOT ITS program.

Section 40. The sum of \$15,222,746, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation and reappropriation heretofore made in Article 8, Section 1a and Article 8A, Section 1a7 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the state share of the IDOT ITS program

AWARDS AND GRANTS

Section 45. The sum of \$39,956,743, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation and reappropriation heretofore made in Article 8, Section 1b and Article 8A, Section 1b of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for Enhancement and Congestion Mitigation and Air Quality Projects.

Section 50. The sum of \$0, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation concerning the Interstate 355 Southern Extension Corridor Planning Council heretofore made in Article 8A Section 1b1 of Public Act 93-91, as amended, is reappropriated from the General Revenue Fund to the Department of Transportation for the same purposes.

Section 55. The sum of \$0, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation and reappropriation heretofore made in Article 8, Section 1b and Article 8A, Section 1b2 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for grants to Illinois Universities for applied research on Transportation.

CENTRAL OFFICE, DIVISION OF HIGHWAYS

LUMP SUM

Section 60. The sum of \$347,631, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation and reappropriation concerning vehicle damages heretofore made in Article 8, Section 4a and Article 8A, Section 3 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 65. The sum of \$12,270,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation heretofore made in Article 8, Section 27 of Public Act 93-91, as amended by the Act, is reappropriated from the Federal Civil Preparedness Administrative Fund to the Illinois Department of Transportation for costs associated with Illinois Terrorism Task Force approved purchases for homeland security.

AWARDS AND GRANTS

Section 70. The sum of \$13,477,877, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriations and reappropriation heretofore made for Local Traffic Signal Maintenance Agreements and City, County and other State Maintenance Agreements in Article 8, Section 4b1 and Article 8A, Section 3a1 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

DIVISION OF TRAFFIC SAFETY

AWARDS AND GRANTS

Section 75. The sum of \$2,821,014, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation and reappropriation heretofore made, in Article 8, Section 5b1 and Article 8A, Section 4 of Public Act 93-91, as amended, is reappropriated from the Cycle Rider Safety Training Fund to the Department of Transportation for the same purposes.

DIVISION OF AERONAUTICS
AWARDS AND GRANTS

Section 80. The sum of \$1,507,038, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation and reappropriation concerning airport improvements heretofore made in Article 8, Section 18b2 and Article 8A, Section 6a2 of Public Act 93-91, as amended, is reappropriated from the General Revenue Fund to the Department of Transportation for the same purposes.

HIGHWAY SAFETY PROGRAM – DIVISION OF TRAFFIC SAFETY
AWARDS AND GRANTS

Section 85. The sum of \$10,218,790, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation and reappropriation concerning Highway Safety Grants heretofore made in Article 8, Section 23 and Article 8A, Section 7a of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the purpose of Local Government Projects by Municipalities and Counties.

Section 90. The sum of \$1,992,182, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation and reappropriation concerning Section 163 Impaired Driving Incentive Grants (.08 alcohol) heretofore made in Article 8, Section 25 and Article 8A, Section 7a1 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the purpose of Local Government Projects by Municipalities and Counties.

Section 95. The sum of \$3,764,715, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004 from the appropriation and reappropriation concerning Alcohol Traffic Safety Grants (410) heretofore made in Article 8, Section 24 and Article 8A, Section 7a2 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the purpose of Local Government Projects by Municipalities and Counties.

PUBLIC TRANSPORTATION DIVISION
LUMP SUMS

Section 100. The sum of \$261,763, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation and reappropriation heretofore made for public transportation technical studies in Article 8, Section 19a and Article 8A, Section 8a of Public Act 93-91, as amended, is reappropriated from the General Revenue Fund to the Department of Transportation for the same purposes.

Section 105. The sum of \$1,686,599, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation and reappropriation heretofore made in Article 8, Section 19a1 and Article 8A, Section 8a1 of Public Act 93-91, as amended, is reappropriated from the Federal Mass Transit Trust Fund to the Department of Transportation for federal reimbursement of transit studies as provided by the Transportation Equity Act for the 21st Century.

Section 110. The sum of \$0, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 14a11, of Public Act 93-91, as amended, is reappropriated from the General Revenue Fund to the Illinois Department of Transportation for a grant to the University of Illinois at Chicago's Urban Transportation Center to study the PACE bus system in DuPage County.

Section 115. No contract shall be entered into or obligation incurred or any expenditure made from a reappropriation herein made in:

Section 80 GRF Aeronautics

of this Article until after the purpose and the amount of such expenditure has been approved in writing by the Governor.

ARTICLE 76

Section 5. The following named amounts, or so much thereof as may be necessary, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter named:

MANAGEMENT AND ADMINISTRATIVE SUPPORT

Payable from General Revenue Fund:

For Personal Services	590,000
For Employee Retirement Contributions	
Paid by Employer	0

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For State Contributions to State Employees' Retirement System	95,000
For State Contributions to Social Security	45,250
For Contractual Services	368,600
For Travel	3,800
For Commodities	3,500
For Printing	7,600
For Equipment	6,900
For Electronic Data Processing	19,600
For Telecommunications	15,200
For Operation of Auto Equipment	5,300
For Training and Education	<u>206,300</u>
Total	\$1,367,050
Payable from Radiation Protection Fund:	
For Personal Services	186,900
For Employee Retirement Contributions Paid by Employer	5,600
For State Contributions to State Employees' Retirement System	30,100
For State Contributions to Social Security	14,300
For Group Insurance	48,000
For Contractual Services	220,800
For Travel	10,000
For Commodities	5,400
For Printing	51,500
For Electronic Data Processing	42,700
For Telecommunications Services	11,700
For Operation of Auto Equipment	<u>16,100</u>
Total	\$643,100
Payable from Nuclear Safety Emergency Preparedness Fund:	
For Personal Services	2,406,650
For Employee Retirement Contributions Paid by Employer	72,200
For State Contributions to State Employees' Retirement System	387,600
For State Contributions to Social Security	184,150
For Group Insurance	540,000
For Contractual Services	762,200
For Travel	18,300
For Commodities	54,500
For Printing	2,000
For Equipment	61,500
For Electronic Data Processing	32,300
For Telecommunications Services	26,200
For Operation of Auto Equipment	<u>31,250</u>
Total	\$4,578,850
Payable from Nuclear Civil Protection Planning Fund:	
For Federal Projects	300,000
Payable from the Emergency Management Preparedness Fund:	
For an Emergency Management Preparedness Program	5,675,000
Payable from Federal Civil Preparedness Administrative Fund:	
For Training and Education	717,300

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For Terrorism Preparedness and

Training costs in the current
and prior years281,093,000

Total

\$287,785,300

Whenever it becomes necessary for the State or any governmental unit to furnish in a disaster area emergency services directly related to or required by a disaster and existing funds are insufficient to provide such services, the Governor may, when he considers such action in the best interest of the State, release funds from the General Revenue disaster relief appropriation in order to provide such services or to reimburse local governmental bodies furnishing such services. Such appropriation may be used for payment of the Illinois National Guard when called to active duty in case of disaster, and for the emergency purchase or renting of equipment and commodities. Such appropriation shall be used for emergency services and relief to the disaster area as a whole and shall not be used to provide private relief to persons sustaining property damages or personal injury as a result of a disaster.

Payable from General Revenue Fund:

For disaster relief costs incurred
in current and prior years

839,500

Section 10. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Illinois Emergency Management Agency for grants to local emergency organizations for objects and purposes hereinafter named:

Payable from the Federal Hardware

Assistance Fund:

For Communications and Warning Systems

500,000

For Emergency Operating Centers

500,000

Payable from the Federal Civil Prepared-

ness Administrative Fund:

For Urban Search and Rescue

2,000,000

Total

\$3,000,000

Section 15. The amount of \$444,789, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Public Act 93-68, Article 1, Section 8, is reappropriated from the General Revenue Fund to the Illinois Emergency Management Agency for providing services and for costs associated with homeland security.

Section 20. The sum of \$63,300, or so much thereof as may be necessary, is appropriated from the Radiation Protection Fund to the Illinois Emergency Management Agency for licensing facilities where radioactive uranium and thorium mill tailings are generated or located, and related costs for regulating the decontamination and decommissioning of such facilities and for identification, decontamination and environmental monitoring of unlicensed properties contaminated with such radioactive mill tailings.

Section 25. The amount of \$100,000, or so much thereof as may be necessary, is appropriated to the Illinois Emergency Management Agency from the September 11th Fund for grants, contracts and administrative expenses pursuant to 625 ILCS 5/3-653, including prior year costs.

Section 30. The following named amounts, or so much thereof as may be necessary, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter named:

OPERATIONS

Payable from General Revenue Fund:

For Personal Services

1,137,400

For Employee Retirement Contributions

Paid by Employer

0

For State Contributions to State Employees'

Retirement System

183,200

For State Contributions to Social Security

87,000

For Contractual Services

84,700

For Travel

6,000

For Commodities

2,800

For Printing

4,500

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For Equipment	38,400
For Electronic Data Processing	10,600
For Telecommunications	190,600
For Operation of Auto Equipment	<u>22,300</u>
Total	\$1,767,500
Payable from Nuclear Safety Emergency Preparedness Fund:	
For Personal Services	810,300
For Employee Retirement Contributions Paid by Employer	24,300
For State Contributions to State Employees' Retirement System	130,500
For State Contributions to Social Security	62,000
For Group Insurance	240,000
For Contractual Services	373,900
For Travel	39,500
For Commodities	54,300
For Printing	4,000
For Equipment	84,500
For Electronic Data Processing	7,000
For Telecommunications	383,500
For Operation of Auto Equipment	<u>18,000</u>
Total	\$2,231,800

Payable from the Emergency Management Preparedness Fund:

For an Emergency Management Preparedness Program	1,500,000
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Payable from Federal Civil Preparedness Administrative Fund:

For Training and Education	350,000
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Section 35. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter enumerated:

RADIATION SAFETY

Payable from Radiation Protection Fund:

For Personal Services	2,634,000
For Employee Retirement Contributions Paid by Employer	79,000
For State Contributions to State Employees' Retirement System	424,200
For State Contributions to Social Security	201,500
For Group Insurance	516,000
For Contractual Services	211,300
For Travel	100,000
For Commodities	13,200
For Equipment	53,700
For Electronic Data Processing	42,700
For Telecommunications	11,700
For Operation of Auto	37,000
For Refunds	<u>100,000</u>
Total	\$4,424,300

Section 40. The sum of \$100,000, or so much thereof as may be necessary, is appropriated from the Radiation Protection Fund to the Illinois Emergency Management Agency for reimbursing other governmental agencies for their assistance in responding to radiological emergencies.

Section 45. The sum of \$250,000, or so much thereof as may be necessary, is appropriated from the Radiation Protection Fund to the Illinois Emergency Management Agency for recovery and remediation of radioactive materials and contaminated facilities or properties

when such expenses cannot be paid by a responsible person or an available surety.

Section 50. The amount of \$380,000, or so much thereof as may be necessary, is appropriated from the Indoor Radon Mitigation Fund to the Illinois Emergency Management Agency for expenses relating to the federally funded State Indoor Radon Abatement Program.

Section 55. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter enumerated:

NUCLEAR FACILITY SAFETY

Payable from Nuclear Safety Emergency

Preparedness Fund:

For Personal Services	3,660,150
For Employee Retirement Contributions	
Paid by Employer	109,800
For State Contributions to State	
Employees' Retirement System	589,500
For State Contributions to	
Social Security	280,000
For Group Insurance	612,000
For Contractual Services	651,800
For Travel	101,100
For Commodities	135,300
For Printing	4,000
For Equipment	152,700
For Electronic Data Processing	397,900
For Telecommunications Services	383,000
For Operation of Auto	<u>14,500</u>
Total	\$7,091,750

Section 60. The following named amounts, or so much thereof as may be necessary, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter named:

DISASTER ASSISTANCE AND PREPAREDNESS

Payable from General Revenue Fund:

For Personal Services	394,000
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	63,500
For State Contributions to Social	
Security	30,100
For Commodities	1,000
For Printing	1,300
For Electronic Data Processing	5,100
For Telecommunications Services	8,200
For Operation of Automotive Equipment	6,500
State Share of Individual and Household	
Grant Program for Disaster	
Declarations:	
In current year	299,700
In prior years	<u>192,000</u>
Total	\$1,001,400

Payable from Nuclear Safety Emergency Preparedness Fund:

For Personal Services	437,050
For Employee Retirement Contributions	
Paid by Employer	13,100
For State Contributions to State	
Employees' Retirement System	70,400
For State Contributions to Social	
Security	33,450
For Group Insurance	108,000

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For Contractual Services	82,250
For Travel	38,000
For Commodities	11,850
For Printing	6,000
For Equipment	20,800
For Electronic Data Processing	5,000
For Telecommunications Services	7,500
For Operation of Automotive Equipment	14,000
For compensation to local governments for expenses attributable to implementation and maintenance of plans and programs authorized by the Nuclear Safety Preparedness Act including expenses incurred prior to July 1, 1997	<u>650,000</u>
Total	\$1,497,400
Payable from the Federal Aid Disaster Fund:	
Federal Share of Individual and Household Program for Disaster Declarations:	
In Current Year	21,000,000
In prior years	1,500,000
For State administration of the Individual and Household Grant Program	1,000,000
For Federal Disaster Declarations:	
In Prior Years	45,000,000
In Current Year	30,000,000
For State administration of the Federal Disaster Relief Program	1,000,000
Disaster Relief - Hazard Mitigation	
in Current Year	8,000,000
in Prior Years	35,000,000
For State administration of the Hazard Mitigation Program	<u>1,000,000</u>
Total	\$143,500,000
Payable from the Emergency Planning and Training Fund:	
For Activities as a Result of the Illinois Emergency Planning and Community Right To Know Act	150,000
Payable from the Nuclear Civil Protection Planning Fund:	
For Federal Projects	500,000
For Flood Mitigation Assistance	<u>3,000,000</u>
Total	\$3,650,000
Payable from the Federal Civil Preparedness Administrative Fund:	
For Training and Education	1,194,000
Payable from the Emergency Management Preparedness Fund:	
For Emergency Management Preparedness Section 65. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Illinois Emergency Management Agency for the objects and purposes hereinafter enumerated:	3,025,000
ENVIRONMENTAL SAFETY	
Payable from Nuclear Safety Emergency Preparedness Fund:	
For Personal Services	1,567,900
For Employee Retirement Contributions Paid by Employer	47,000
For State Contributions to State Employees' Retirement System	252,500
For State Contributions to Social Security	119,950
For Group Insurance	300,000

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For Contractual Services	421,600
For Travel	41,500
For Commodities	72,100
For Printing	4,000
For Equipment	146,200
For Electronic Data Processing	17,500
For Telecommunications	28,000
For Operation of Auto	<u>14,500</u>
Total	\$3,032,750
Payable from Low-Level Radioactive Waste	
Facility Development and Operation Fund:	
For Refunds for Overpayments made by Low-Level Waste Generators	5,000

Section 70. The sum of \$1,865,450, or so much thereof as may be necessary, is appropriated from the Radiation Protection Fund to the Illinois Emergency Management Agency for licensing facilities where radioactive uranium and thorium mill tailings are generated or located, and related costs for regulating the decontamination and decommissioning of such facilities and for identification, decontamination and environmental monitoring of unlicensed properties contaminated with such radioactive mill tailings.

Section 75. The sum of \$150,000, or so much thereof as may be necessary, is appropriated from the Radiation Protection Fund to the Illinois Emergency Management Agency to conduct studies, investigations, training, research and demonstrations relating to the control or measurement of radiation, the effects on health of exposure to radiation, and related problems under funding agreements with the Federal Government, interstate agencies or other sources.

Section 80. The sum of \$713,700, or so much thereof as may be necessary, is appropriated from the Radiation Protection Fund to the Illinois Emergency Management Agency for the purpose of funding costs related to environmental cleanup of the Ottawa Radiation Areas Superfund Project under cooperative agreements with the Federal Government.

Section 85. The sum of \$100,000, or so much thereof as may be necessary, is appropriated from the Nuclear Safety Emergency Preparedness Fund to the Illinois Emergency Management Agency for related training and travel expenses and to reimburse the Illinois State Police and the Illinois Commerce Commission for costs incurred for activities related to inspecting and escorting shipments of spent nuclear fuel, high-level radioactive waste, and transuranic waste in Illinois as provided under the rules of the Agency.

Section 90. The sum of \$200,000, or so much thereof as may be necessary, is appropriated from the Sheffield Agreed Order Fund to the Illinois Emergency Management Agency for the care, maintenance, monitoring, testing, remediation and insurance of the low-level radioactive waste disposal site near Sheffield, Illinois.

Section 95. The sum of \$828,550, or so much thereof as may be necessary, is appropriated from the Low-Level Radioactive Waste Facility Development and Operation Fund to the Illinois Emergency Management Agency for use in accordance with Section 14(a) of the Illinois Low-Level Radioactive Waste Management Act for costs related to establishing a low-level radioactive waste disposal facility.

Section 100. The sum of \$436,600, or so much thereof as may be necessary, is appropriated from the Build Illinois Bond Fund to the Illinois Emergency Management Agency for the capital costs associated with the Gubernatorial Proclamation of disaster dated April 21, 2004, relating to Kankakee, LaSalle, Putnam, and Will Counties.

Section 105. No contract shall be entered into or obligation incurred for any expenditures made from an appropriation herein made in Section 100 until after the purpose and amounts have been approved in writing by the Governor.

Section 110. Certain Federal receipts shall be placed in the General Revenue Fund, pursuant to law and regulation, as reimbursement for the Federal share of expenditures made from General Revenue appropriations in Sections 5, 30, 60 and 100 of this Article. Other Federal receipts shall be paid into the proper trust fund and shall be available for expenditure only pursuant to the trust fund appropriations in Sections 5, 10, 30, 50, 60 and 100 of this Article or suitable appropriation made by the General Assembly.

ARTICLE 77

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:

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DIVISION OF ADMINISTRATION

Payable from General Revenue Fund:	
For Personal Services	6,581,700
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	1,060,100
For State Contributions to	
Social Security	436,800
For Contractual Services	4,067,500
For Travel	64,500
For Commodities	525,800
For Printing	94,300
For Equipment	85,200
For Telecommunications Services	185,200
For Operation of Auto Equipment	223,100
For Expenses of Apprehension of	
Fugitives	0
For Contractual Services:	
For Payment of Tort Claims	58,000
For Refunds	7,100
For Expenses regarding implementation	
of the Juvenile Justice Reform	
provisions	174,700
For Expenses associated with the	
Videotaping of Interrogations	0
For deposit into the General	
Obligation Bond Retirement and	
Interest Fund for costs associated	
with the debt service payments	
of rolling stock and capital	
equipment	<u>0</u>
Total	\$13,564,000
Payable from Missing and Exploited Children	
Trust Fund:	
For the Administration and fulfillment	
of its responsibilities under the	
Intergovernmental Missing Child	
Recovery Act of 1984	0
Payable from the State Police Wireless	
Service Emergency Fund:	
For costs associated with the	
administration and fulfillment	
of its responsibilities under	
the Wireless Emergency Telephone	
Safety Act	2,000,000
Payable from the State Police Vehicle Fund:	
For equipment	150,000

Section 10. The sum of \$3,500,000, or so much thereof as may be necessary, is appropriated from the State Asset Forfeiture Fund to the Department of State Police for payment of their expenditures as outlined in the Illinois Drug Asset Forfeiture Procedure Act, the Cannabis Control Act, the Controlled Substances Act, and the Environmental Safety Act.

Section 15. The sum of \$2,500,000, or so much thereof as may be necessary, is appropriated from the Federal Asset Forfeiture Fund to the Department of State Police for payment of their expenditures in accordance with the Federal Equitable Sharing Guidelines.

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:

INFORMATION SERVICES BUREAU

Payable from General Revenue Fund:

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For Personal Services	4,856,900
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	782,300
For State Contributions to Social Security	363,500
For Contractual Services	948,200
For Travel	38,000
For Commodities	34,000
For Printing	35,200
For Equipment	3,100
For Electronic Data Processing	2,222,700
For Telecommunications Services	<u>625,500</u>
Total	\$9,909,400
Payable from LEADS Maintenance Fund: For Expenses Related to LEADS System	3,500,000
Section 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:	
DIVISION OF OPERATIONS	
Payable from General Revenue Fund:	
For Personal Services	53,346,900
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	8,592,100
For State Contributions to Social Security	2,256,200
For Contractual Services	5,597,900
For Travel	600,900
For Commodities	678,900
For Printing	122,400
For Equipment	1,058,800
For Electronic Data Processing	88,000
For Telecommunications Services	2,263,000
For Expenses Regarding Implementation of the Statewide Radio Communication System	0
For Operation of Auto Equipment	7,074,900
For Expenses Associated with Project X	<u>0</u>
Total	\$81,680,000
Payable from the Road Fund:	
For Personal Services	87,487,000
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	9,036,300
For State Contributions to Social Security	<u>786,700</u>
Total	\$97,310,000
Payable from Transportation Regulatory Fund:	
For Personal Services	681,950
For Employee Retirement Contributions Paid by Employer	20,500
For State Contributions to State Employees' Retirement System	109,900
For State Contributions to Social Security	52,050

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For Group Insurance	132,000
For Contractual Services	27,600
For Travel	16,500
For Commodities	7,200
For Equipment	0
For Telecommunications Services	100,000
For Operation of Auto Equipment	<u>44,000</u>
Total	1,191,700
Payable from the Traffic and Criminal Conviction Surcharge Fund:	
For Personal Services	2,938,500
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	473,300
For State Contributions to Social Security	81,100
For Group Insurance	612,000
For Contractual Services	480,300
For Travel	68,800
For Commodities	166,600
For Printing	22,000
For Telecommunications Services	108,200
For Operation of Auto Equipment	<u>186,800</u>
Total	\$5,137,600
Payable from the State Police Services Fund:	
For Payment of Expenses:	
Fingerprint Program	8,000,000
For Payment of Expenses:	
Federal & IDOT Programs	3,780,000
For Payment of Expenses:	
Riverboat Gambling	9,300,000
For Payment of Expenses:	
Miscellaneous Programs	<u>3,270,000</u>
Total	\$24,350,000
Payable from the Illinois State Police Federal Projects Fund:	
For Payment of Expenses	15,350,000
Payable from the Motor Carrier Safety Inspection Fund:	
For expenses associated with the enforcement of Federal Motor Carrier Safety Regulations and related Illinois Motor Carrier Safety Laws	2,400,000
Section 30. The sum of \$14,062,208, or so much thereof as may be necessary and remains unexpended on June 30, 2004, from appropriations heretofore made in Article 7, Section 85 of Public Act 93-91, as amended, is re-appropriated to the Department of State Police from the Federal Civil Preparedness Administrative Fund for Terrorism Task Force Approved Purchases for Homeland Security.	
Section 35. The following amounts, or so much thereof as may be necessary for the objects and purposes hereinafter named, are appropriated from the General Revenue Fund and the Drug Traffic Prevention Fund to the Department of State Police, Division of Operations, pursuant to the provisions of the "Intergovernmental Drug Laws Enforcement Act" for Grants to Metropolitan Enforcement Groups.	
For Grants to Metropolitan Enforcement Groups:	
Payable from General Revenue Fund	710,400
Payable from Drug Traffic Prevention Fund	120,000
Section 40. In the event of the receipt of funds from the Motor Vehicle Theft Prevention	

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Council, through a grant from the Criminal Justice Information Authority, the amount of \$1,200,000, or so much thereof as may be necessary, is appropriated from the State Police Motor Vehicle Theft Prevention Trust Fund to the Department of State Police for payment of expenses.

Section 45. The sum of \$1,500,000 or so much thereof as may be necessary, is appropriated from the State Police Whistleblower Reward and Prevention Fund to the Department of State Police for payment of their expenditures for state law enforcement purposes in accordance with the State Whistleblower Protection Act.

Section 50. The following amounts, or so much thereof as may be necessary, respectively, are appropriated from the General Revenue Fund to the Department of State Police for expenses of Racetrack Investigative Services under the "Illinois Horse Racing Act of 1975":

DIVISION OF OPERATIONS
RACETRACK INVESTIGATION UNIT

For Personal Services	513,000
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	82,700
For State Contributions to	
Social Security	<u>8,900</u>
Total	\$604,600

Section 55. The following amounts, or so much thereof as may be necessary, respectively, are appropriated from the General Revenue Fund to the Department of State Police for the expenses of Fraud Investigations:

DIVISION OF OPERATIONS
FINANCIAL FRAUD AND FORGERY UNIT

For Personal Services	3,994,500
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	643,400
For State Contributions to	
Social Security	<u>57,500</u>
Total	\$4,695,400

Section 60. The sum of \$250,000, or so much thereof as may be necessary, is appropriated from the Medicaid Fraud and Abuse Prevention Fund to the Department of State Police, Division of Operations - Financial Fraud and Forgery Unit for the detection, investigation or prosecution of recipient or vendor fraud.

Section 65. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for the following purposes:

DIVISION OF FORENSIC SERVICES AND IDENTIFICATION

Payable from the General Revenue Fund:

For Personal Services	33,628,900
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State	
Employees' Retirement System	5,416,300
For State Contributions to	
Social Security	2,379,100
For Contractual Services	7,660,800
For Travel	116,200
For Commodities	1,810,600
For Printing	77,900
For Equipment	1,981,400
For Electronic Data Processing	179,300
For Telecommunications Services	571,000
For Operation of Auto Equipment	164,200
For Administration of a Statewide Sexual	
Assault Evidence Collection Program	97,200
For Operational Expenses Related to the	

Combined DNA Index System	<u>4,102,100</u>
Total	\$58,185,000
For Administration and Operation of State Crime Laboratories:	
Payable from State Crime Laboratory Fund	650,000
Payable from State Police	
DUI Fund	650,000
Payable from State Offender DNA Identification System Fund	1,300,000

Section 70. The sum of \$350,000, or so much thereof as may be necessary, is appropriated to the Department of State Police, Division of Forensic Services and Identification, from the Firearm Owner's Notification Fund for the administration and operation of the Firearm Owner's Identification Card Program.

Section 75. The following amounts, or so much thereof as may be necessary, respectively, are appropriated to the Department of State Police for Internal Investigation expenses as follows:

DIVISION OF INTERNAL INVESTIGATION

Payable from the General Revenue Fund:

For Personal Services	1,484,000
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	239,000
For State Contributions to Social Security	40,700
For Contractual Services	123,600
For Travel	16,300
For Commodities	22,400
For Printing	3,600
For Equipment	17,200
For Telecommunications Services	86,400
For Operation of Auto Equipment	<u>90,800</u>
Total	\$2,124,000

Section 80. The sum of \$175,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois State Police for grants to local agencies for the purchase of criminal investigation equipment.

ARTICLE 78

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Law Enforcement Training Standards Board:

OPERATIONS

Payable from the Traffic and Criminal

Conviction Surcharge Fund:	
For Personal Services	1,163,200
For Employee Retirement Contributions Paid by Employer	34,900
For State Contributions to State Employees' Retirement System	187,400
For State Contributions to Social Security	89,450
For Group Insurance	312,000
For Contractual Services	134,050
For Travel	42,200
For Commodities	13,000
For Printing	5,000
For Equipment	39,000
For Electronic Data Processing	69,000
For Telecommunications Services	36,600
For Operation of Auto Equipment	18,200

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For Expenses Related to the Audit of Assessment Collection and Remittance To and Expenditures From the Traffic and Criminal Conviction Surcharge Fund	0
For payment of and/or services related to the administration of HB576 investigations	<u>50,000</u>
Total	\$2,194,000

Payable from the Police Training Board Services Fund: For payment of and/or services related to law enforcement training in accordance with statutory provisions of the Law Enforcement Intern Training Act	100,000
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Payable from the Death Certificate Surcharge Fund:

For payment of and/or services
related to death investigation
in accordance with statutory
provisions of the Vital Records
Act 126,100

Section 10. The following named amount, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, is appropriated to the Law Enforcement Training Standards Board as follows:

GRANTS-IN-AID

Payable from the Traffic and Criminal Conviction Surcharge Fund: For payment of and/or reimbursement of training and training services in accordance with statutory provisions	11,267,400
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ARTICLE 79

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

For Personal Services	331,300
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	53,400
For State Contributions to Social Security	25,500
For Contractual Services	318,700
For Travel	8,100
For Commodities	5,700
For Printing	5,700
For Equipment	1,900
For Electronic Data Processing	7,700
For Telecommunications Services	11,500
For Operation of Automotive Equipment	<u>2,900</u>
Total	\$772,400

ARTICLE 80

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Illinois Criminal Justice Information Authority:

OPERATIONS

Payable from General Revenue Fund: For Personal Services	1,279,300
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State	

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Employees' Retirement System	206,100
For State Contributions to Social Security	100,800
For Contractual Services	652,000
For Travel	16,300
For Commodities	15,450
For Printing	16,300
For Equipment	2,900
For Electronic Data Processing	263,100
For Telecommunications Services	82,200
For Operation of Auto Equipment	6,700
Total	\$2,641,150
Payable from Criminal Justice Information Systems Trust Fund:	
For Personal Services	879,300
For Employee Retirement Contributions	
Paid by Employer	26,400
For State Contributions to State Employees' Retirement System	141,600
For State Contributions to Social Security	68,000
For Group Insurance	204,000
For Contractual Services	233,650
For Travel	14,150
For Commodities	6,100
For Printing	4,000
For Equipment	4,500
For Electronic Data Processing	1,177,450
For Telecommunications Services	241,000
For Operation of Auto Equipment	7,400
Total	\$3,007,550
Section 10. The sum of \$39,579,300, or so much thereof as may be necessary, is appropriated from the Criminal Justice Trust Fund to the Illinois Criminal Justice Information Authority for awards and grants to local units of government and non-profit organizations.	
Section 15. The following named sums, or so much thereof as may be necessary, are appropriated to the Illinois Criminal Justice Information Authority for awards and grants to state agencies:	
Payable from the General Revenue Fund	960,000
Payable from the Criminal Justice Trust Fund	<u>13,359,600</u>
Total	\$14,319,600
Section 20. The following named sums, or so much thereof as needed, are appropriated to the Illinois Criminal Justice Information Authority for activities undertaken in support of federal assistance programs administered by units of state and local government and non-profit organizations:	
Payable from the General Revenue Fund	796,800
Payable from the Criminal Justice Trust Fund	<u>5,600,000</u>
Total	\$6,396,800
Section 25. The following named amounts, or so much thereof as may be necessary, are appropriated to the Illinois Criminal Justice Information Authority for awards and grants and other monies received from federal agencies, from other units of government, and from private/not-for-profit organizations for activities undertaken in support of investigating issues in criminal justice and for undertaking other criminal justice information projects:	
Payable from the Criminal Justice Trust Fund	1,700,000
Payable from the Criminal Justice Information Projects Fund	<u>200,000</u>
Total	\$1,900,000

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Section 30. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Illinois Criminal Justice Information Authority for awards, grants and operational support to implement the Motor Vehicle Theft Prevention Act:

Payable from the Motor Vehicle

Theft Prevention Trust Fund:	
For Personal Services	203,950
For other Ordinary and Contingent Expenses	206,000
For Awards and Grants to federal and state agencies, units of local government, corporations, and neighborhood, community and business organizations to include operational activities and programs undertaken by the Authority in support of the Motor Vehicle Theft Prevention Act	7,000,000
For Refunds	<u>50,000</u>
Total	\$7,459,950

Section 35. The sum of \$40,000,000, or so much thereof as may be necessary, is appropriated from the Criminal Justice Trust Fund to the Illinois Criminal Justice Information Authority for awards and grants to state agencies and units of local government, to include operational activities and programs undertaken by the Authority, in support of Federal Crime Bill Initiatives.

Section 40. The following amount, or so much thereof as may be necessary, is appropriated to the Illinois Criminal Justice Information Authority for awards and grants to state agencies and units of local government, including operational expenses of the Authority in support of the Juvenile Accountability Incentive Block Grant program:

Payable from the Juvenile Accountability Incentive Block Grant Trust Fund	17,540,000
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ARTICLE 81

Section 5. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated for the objects and purposes named, to meet the ordinary and contingent expenses of the Judicial Inquiry Board:

For Personal Services	285,700
For State Contributions to State Employees' Retirement System	46,015
For Retirement - Pension pick-up	10,925
For State Contributions to Social Security	20,890
For Contractual Services	274,740
For Travel	25,000
For Commodities	2,500
For Printing	8,700
For Equipment	1,000
For EDP	0
For Telecommunications	9,500
For Operations of Auto Equipment	<u>3,000</u>
Total	\$687,970

ARTICLE 82

Section 5. The following named amounts, or so much of those amounts as may be necessary, respectively, for the objects and purposes named in this Section are appropriated from the General Revenue Fund to meet the ordinary and contingent expenses of the Office of the State Appellate Defender:

For Personal Services	12,328,517
For Employee Retirement Contributions Paid by Employer	39,000
For State Contribution to State Employees' Retirement System	1,985,631
For State Contributions to Social Security	943,131

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For Contractual Services	2,218,134
For Travel	70,600
For Commodities	58,200
For Printing	36,750
For Equipment	50,000
For Electronic Data Processing	485,443
For Telecommunications	144,700
For Intern Program	<u>0</u>
Total, This Section	\$18,360,106

Section 10. The following named amounts, or so much of those amounts as may be necessary, respectively, for the objects and purposes named in this Section, are appropriated to the Office of the State Appellate Defender for the ordinary and contingent expenses of the Capital Litigation Division:

For Personal Services	816,796
For Employee Retirement Contributions Paid by Employer	2,640
For State Contribution to State Employees' Retirement System	131,553
For State Contributions to Social Security	62,485
For Contractual Services	198,920
For Travel	20,000
For Commodities	4,000
For Printing	3,000
For Equipment	6,000
For Electronic Data Processing	4,000
For Telecommunications	<u>30,000</u>
Total, This Section	\$1,279,394

Section 15. The following named amounts, or so much of those amounts as may be necessary, respectively, for the objects and purposes named in this Section, are appropriated to the Office of the State Appellate Defender for expenses related to federally assisted programs to work on sex crimes and crimes against the family appeals cases to which the agency is appointed, to provide statewide training and services to Illinois Public Defenders, and to enhance the capability of public defenders in rural counties to effectively represent their clients in appropriate cases, making available expert witnesses and investigative services to them:

Payable from State Appellate Defender Federal Trust Fund	525,000
For State matching purposes: Payable from Special State Projects Fund	<u>175,000</u>
Total, This Section	\$700,000

Section 20. The amount of \$2,728,000, or so much thereof as may be necessary, is appropriated from the Capital Litigation Trust Fund to the Office of the State Appellate Defender for expenses incurred in providing assistance to trial attorneys under subdivision (c)(5) of Section 10 of the State Appellate Defender Act.

Section 25. The amount of \$157,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the State Appellate Defender for expenses incurred to operate the Expungement Information Program.

ARTICLE 83

Section 5. The following named amounts, or so much of those amounts as may be necessary, respectively, are appropriated to the Office of the State's Attorney Appellate Prosecutor for the objects and purposes hereinafter named to meet its ordinary and contingent expenses for the fiscal year ending June 30, 2004:

For Personal Services: Payable from General Revenue Fund for Collective Bargaining Unit	2,273,338
Payable from General Revenue Fund for Administrative Unit	797,667
Payable from State's Attorney Appellate	

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Prosecutor's County Fund	641,071
For State Contribution to the State Employees' Retirement System Pick Up:	
Payable from General Revenue Fund for Collective Bargaining Unit	90,935
Payable from General Revenue Fund for Administrative Unit	32,217
Payable from State's Attorneys Appellate Prosecutor's County Fund	25,953
For State Contribution to the State Employees' Retirement System:	
Payable from General Revenue Fund for Collective Bargaining Unit	366,144
Payable from General Revenue Fund for Administrative Unit	128,472
Payable from State's Attorneys Appellate Prosecutor's County Fund	103,251
For State Contribution to Social Security:	
Payable from General Revenue Fund for Collective Bargaining Unit	178,210
Payable from General Revenue Fund for Administrative Unit	55,286
Payable from State's Attorneys Appellate Prosecutor's County Fund	42,984
For County Reimbursement to State for Group Insurance:	
Payable from State's Attorneys Appellate Prosecutor's County Fund	104,500
For Contractual Services:	
Payable from General Revenue Fund	300,355
Payable from State's Attorneys Appellate Prosecutor's County Fund	514,689
For Contractual Services for Tax Objection Casework:	
Payable from General Revenue Fund	66,666
Payable from State's Attorneys Appellate Prosecutor's County Fund	33,334
For Contractual Services for Rental of Real Property:	
Payable from General Revenue Fund	217,816
Payable from State's Attorneys Appellate Prosecutor's County Fund	126,427
For Travel:	
Payable from General Revenue Fund	16,720
Payable from State's Attorneys Appellate Prosecutor's County Fund	9,122
For Commodities:	
Payable from General Revenue Fund	14,915
Payable from State's Attorneys Appellate Prosecutor's County Fund	9,363
For Printing:	
Payable from General Revenue Fund	4,881
Payable from State's Attorneys Appellate Prosecutor's County Fund	3,582
For Equipment:	
Payable from General Revenue Fund	25,579
Payable from State's Attorneys Appellate Prosecutor's County Fund	30,884
For Electronic Data Processing:	
Payable from General Revenue Fund	16,150
Payable from State's Attorneys Appellate Prosecutor's County Fund	31,387
For Telecommunications:	

Payable from General Revenue Fund	20,900
Payable from State's Attorneys Appellate Prosecutor's County Fund	34,716
For Operation of Automotive Equipment:	
Payable from General Revenue Fund	10,640
Payable from State's Attorneys Appellate Prosecutor's County Fund	8,307
For Law Intern Program:	
Payable from General Revenue Fund	100
Payable from State's Attorneys Appellate Prosecutor's County Fund	27,419
For Continuing Legal Education:	
Payable from General Revenue Fund	100
Payable from Continuing Legal Education Trust Fund	\$150,000
For Legal Publications:	
Payable from General Revenue Fund	\$3,515
Payable from State's Attorneys Appellate Prosecutor's County Fund	13,924
For expenses for assisting County State's Attorneys for services provided under the Illinois Public Labor Relations Act:	
For Personal Services:	
Payable from General Revenue Fund	77,811
Payable from State's Attorneys Appellate Prosecutor's County Fund	43,758
For State Contribution to the State Employees' Retirement System Pick Up:	
Payable from General Revenue Fund	3,113
Payable from State's Attorneys Appellate Prosecutor's County Fund	1,751
For State Contribution to the State Employees' Retirement System:	
Payable from General Revenue Fund	12,532
Payable from State's Attorneys Appellate Prosecutor's County Fund	7,048
For Contribution to Social Security:	
Payable from General Revenue Fund	5,953
Payable from State's Attorneys Appellate Prosecutor's County Fund	3,347
For County Reimbursement to State for Group Insurance:	
Payable from State's Attorneys Appellate Prosecutor's County Fund	9,167
For Contractual Services:	
Payable from General Revenue Fund	6,316
Payable from State's Attorneys Appellate Prosecutor's County Fund	306,310
For Travel:	
Payable from General Revenue Fund	1,160
Payable from State's Attorneys Appellate Prosecutor's County Fund	1,153
For Commodities:	
Payable from General Revenue Fund	570
Payable from State's Attorneys Appellate Prosecutor's County Fund	781
For Equipment:	
Payable from General Revenue Fund	570
Payable from State's Attorneys Appellate Prosecutor's County Fund	1,194
For Operation of Automotive Equipment:	
Payable from General Revenue Fund	1,140
Payable from State's Attorneys Appellate	

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Prosecutor's County Fund	1,107
For expenses pursuant to Narcotics Profit Forfeiture Act:	
Payable from Narcotics Profit Forfeiture Fund	0
For Expenses Pursuant to Drug Asset Forfeiture Procedure Act:	
Payable from Narcotics Profit Forfeiture Fund	1,350,000
For Expenses Pursuant to P.A. 84-1340, which requires the Office of the State's Attorneys Appellate Prosecutor to conduct training programs for Illinois State's Attorneys, Assistant State's Attorneys and Law Enforcement Officers on techniques and methods of eliminating or reducing the trauma of testifying in criminal proceedings for children who serve as witnesses in such proceedings; and other authorized criminal justice training programs:	
Payable from General Revenue Fund	80,000
For Expenses Related to federally assisted Programs to assist local State's Attorneys including violent crimes, drug related cases and cases arising under the Narcotics Profit Forfeiture Act on the request of the State's Attorney:	
Payable from Special Federal Grant Project Fund	2,800,000
For Local Matching Purposes:	
Payable from State's Attorneys Appellate Prosecutor's County Fund	0
For State Matching Purposes:	
Payable from General Revenue Fund	0
For Expenses Pursuant to Grant Agreements For Training Grant Programs:	
Payable from Continuing Legal Education Trust Fund	200,000
For Expenses Pursuant to the Capital Crimes Litigation Act:	
Payable from the Capital Litigation Trust Fund	400,000

Section 10. The amount of \$2,700,000, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Office of the State Appellate Prosecutor for a grant to the Cook County State's Attorney for expenses incurred in filing appeals in Cook County. (Total, \$14,546,300; General Revenue Fund, \$7,509,771; Office of the State's Attorneys Appellate Prosecutor's County Fund, \$2,136,529; Continuing Legal Education Trust Fund, \$350,000; Narcotics Profit Forfeiture Fund, \$1,350,000; Special Federal Grant Project Funds, \$2,800,000; Capital Litigation Trust Fund, \$400,000)

Section 15. For Appropriation to the State Treasurer for Expenses Incurred by State's Attorneys other than Cook County:

Payable from the Capital Litigation Trust Fund	1,000,000
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ARTICLE 84

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Office of the State Fire Marshal, as follows:

GENERAL OFFICE

Payable from the Fire Prevention Fund:	
For Personal Services	6,664,400
For Employee Retirement Contributions	
Paid by Employer	200,000
For State Contributions to the State Employees' Retirement System	1,073,400
For State Contributions to Social Security	446,600
For Group Insurance	1,560,000
For Contractual Services	726,000
For Travel	100,000
For Commodities	50,000
For Printing	40,900
For Equipment	410,000
For Electronic Data Processing	240,000
For Telecommunications	196,700
For Operation of Auto Equipment	260,000
For Refunds	4,000
Total	\$11,972,000

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Payable from the Underground Storage Tank Fund:

For Personal Services	1,334,100
For Employee Retirement Contributions	
Paid by Employer	40,100
For State Contributions to the State	
Employees' Retirement System	214,900
For State Contributions to Social Security	102,100
For Group Insurance	319,000
For Contractual Services	265,900
For Travel	23,500
For Commodities	6,000
For Printing	2,600
For Equipment	161,500
For Electronic Data Processing	115,000
For Telecommunications	47,000
For Operation of Auto Equipment	60,000
For Refunds	50,000
For Expenses of Hearing Officers	<u>75,000</u>
Total	\$2,816,700

Section 10. The sum of \$375,000, or so much thereof as may be necessary, is appropriated from the Fire Prevention Fund to the Office of the State Fire Marshal for administrative expenses of the Elevator Safety and Regulation Act.

Section 15. The sum of \$50,000, or so much thereof as may be necessary, is appropriated from the Illinois Firefighters' Memorial Fund to the Office of the State Fire Marshal for expenses related to the maintenance of the Illinois Firefighters' Memorial, holding the annual Fallen Firefighter Ceremony, and other expenses as allowed under Public Act 91-0832.

Section 20. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated to the Office of the State Fire Marshal as follows:

Payable from the Fire Prevention Fund:

For Fire Prevention Training	45,000
For Expenses of Fire Prevention	
Awareness Program	75,000
For Expenses of Arson Education	
and Seminars	23,500
For expenses of new fire chiefs training	25,000
For expenses of hearing officers	<u>25,000</u>
Total	\$193,500

Payable from the Fire Prevention Division Fund:

For Expenses of the U.S. Resource	
Conservation and Recovery Act	
Underground Storage Program	299,800

Payable from the Emergency Response

Reimbursement Fund:	
For Hazardous Material Emergency	
Response Reimbursement	5,000

Section 25. The following named amounts, or so much thereof as may be necessary, respectively, are appropriated for the ordinary and contingent expenses of the Office of the State Fire Marshal, as follows:

GRANTS

Payable from the Fire Prevention Fund:

For Chicago Fire Department Training Program	1,646,900
For payment to local governmental agencies	
which participate in the State Training	
Programs	550,000
For Regional Training Grants	300,000
For payments in accordance with	
Public Act 93-0169	<u>45,000</u>
Total	\$2,541,900

Section 30. The sum of \$2,000, or so much thereof as may be necessary, is appropriated

from the Fire Prevention Fund to the Office of the State Fire Marshal for grants available for the development of new fire districts.

Section 35. The sum of \$550,000, or so much thereof as may be necessary, is appropriated from the Underground Storage tank Fund to the Office of the State Fire Marshal for a grant to the City of Chicago for Administrative Costs incurred as a result of the State's Underground Storage Program.

ARTICLE 85

Section 5. The following amounts, or so much thereof as may be necessary, respectively, are appropriated for the objects and purposes named, to meet the ordinary and contingent expenses of the Illinois Violence Prevention Authority:

Payable from the Violence Prevention Fund:

For Personal Services	500,200
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State Employees' Retirement System	80,600
For State Contribution to Social Security	38,300
For Group Insurance	96,000
For Contractual Services	40,100
For Travel	20,000
For Commodities	2,000
For Printing	10,000
For Equipment	1,000
For Electronic Data Processing	8,000
For Telecommunications Services	5,000
Total	\$801,200

Payable from the General Revenue Fund:

For Contractual Services	38,400
Total	\$38,400

Section 10. The sum of \$1,800,000, or so much thereof as may be necessary, is appropriated from the Violence Prevention Fund to the Illinois Violence Prevention Authority for the purpose of awarding grants under the provisions of the Violence Prevention Act of 1995.

Section 15. The sum of \$2,239,500, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Illinois Violence Prevention Authority for the purpose of awarding grants under the provisions of the Violence Prevention Act of 1995.

Section 20. The amount of \$894,300, or so much of that amount as may be necessary, is appropriated from the General Revenue Fund to the Illinois Violence Prevention Authority for the Illinois Family Violence Coordinating Council Program.

ARTICLE 86

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

FOR OPERATIONS - GENERAL OFFICE

Payable from General Revenue Fund:

For Personal Services	560,400
For Employee Retirement Contributions	
Paid by Employer	0
For State Contributions to State Employees' Retirement System	90,300
For State Contributions to Social Security	42,900
For Contractual Services	216,900
For Travel	30,700
For Commodities	8,500
For Printing	11,700
For Equipment	1,900
For Electronic Data Processing	83,800
For Telecommunications Services	22,800

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For Operation of Auto Equipment	0
For Administration and operations of Displaced Homemaker Grant Program	47,000
For Refunds	<u>100</u>
Total	\$1,117,000

Section 10. The following named amount of \$621,300, or so much thereof as may be necessary, is appropriated to the Department of Labor for Displaced Homemaker Grants.

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

PUBLIC SAFETY

Payable from General Revenue Fund:	
For Personal Services	832,000
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	134,000
For State Contributions to Social Security	63,600
For Contractual Services	35,400
For Travel	104,400
For Commodities	5,000
For Printing	7,000
For Equipment	5,900
For Telecommunications Services	<u>17,400</u>
Total	\$1,204,700

Section 20. The following named sums, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to meet the ordinary and contingent expenses of the Department of Labor:

FAIR LABOR STANDARDS

Payable from General Revenue Fund:	
For Personal Services	1,967,800
For Employee Retirement Contributions Paid by Employer	0
For State Contributions to State Employees' Retirement System	316,900
For State Contributions to Social Security	150,600
For Contractual Services	72,200
For Travel	113,100
For Commodities	6,100
For Printing	20,800
For Equipment	19,900
For Telecommunications Services	<u>39,800</u>
Total	\$2,707,200

Payable From the Child Labor and Day and Temporary Labor Services Enforcement Fund:	
For Administration of the Child Labor Law and Day and Temporary Labor Services Act	157,700

Section 25. In addition to any other funds appropriated for that purpose, the sum of \$198,300 is appropriated from the General Revenue Fund to the Department of Labor for all costs associated with conducting the study mandated by P.A. 87-405, regarding the employment progress of women and minorities.

ARTICLE 87

Section 5. The following named amounts, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated from the Industrial Commission Operations Fund to the Industrial Commission:

GENERAL OFFICE

For Personal Services:	
Regular Positions	4,491,850
Arbitrators	3,422,700
Court Reporters	1,245,150
For Employee Retirement Contributions	
Paid by Employer	294,400
For State Contributions to State	
Employees' Retirement System	723,500
For Arbitrators' Retirement System	551,200
For Court Reporters' Retirement System	200,500
For State Contributions to	
Social Security	700,750
For Group Insurance	2,160,000
For Contractual Services	397,000
For Travel	224,000
For Commodities	45,500
For Printing	35,000
For Equipment	50,000
For Telecommunications Services	<u>101,450</u>
Total	\$14,643,000

ELECTRONIC DATA PROCESSING

For Personal Services	653,950
For State Contributions to State	
Employees' Retirement System	105,300
For State Contributions to	
Social Security	50,050
For Contractual Services	142,750
For Travel	2,000
For Commodities	1,500
For Equipment	11,000
For Printing	2,000
For Telecommunications Services	<u>56,500</u>
Total	\$1,025,100

Section 10. In addition to the amounts heretofore appropriated, the following named amount, or so much thereof as may be necessary, is appropriated from the Industrial Commission Operations Fund to the Industrial Commission for the project hereinafter enumerated:

PEORIA OFFICE

For rent, staffing and equipment to operate	
an office in Peoria	132,300

Section 15. The amount of \$119,800, or so much thereof as may be necessary, is appropriated from the Industrial Commission Operations Fund to the Industrial Commission for printing and distribution of Workers' Compensation handbooks containing information as to the rights and obligations of employers.

Section 20. The amount of \$279,300, or so much thereof as may be necessary, is appropriated from the Industrial Commission Operations Fund to the Industrial Commission for the implementation and operation of an accident reporting system.

Section 25. The sum of \$120,600, or so much thereof as may be necessary, is appropriated from the Industrial Commission Operations Fund to the Industrial Commission for all costs associated with the establishment and operation of a satellite office in the Metro East area.

ARTICLE 88

LT. GOVERNOR

Section 5. The sum of \$35,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made for such purpose in Article 3, Section 3 of Public Act 93-0587, is reappropriated to the Office of Lieutenant Governor from the Clean Water Trust Fund to for the purpose of making grants to local governments pursuant to Section 10 of the Clean Water Bond Act.

Total, Article 88	\$35,000,000
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ARTICLE 89
SECRETARY OF STATE

Section 5. The amount of \$20,400, or so much thereof as may be necessary and remains unexpended on June 30, 2004, from appropriation heretofore made for such purposes in Article 4, Division FY90, Section 3-6.2e of Public Act 91-0708, as amended, is reappropriated from the Build Illinois Bond Fund to the Office of the Secretary of State for making grants to the City of Chicago for planning, construction, reconstruction, rehabilitation, and all necessary costs for the following branches of the Chicago Public Library at the approximate costs set forth below:

North Austin Branch Library	1,150,025
Legler Library	26,886
Auburn/Hamilton Park Library	879,056
Near West Side Branch Library	1,136,419
Carter G. Woodson Regional Library	68,696
Clearing Branch Library	258,398
McKinley Park Branch Library	829,124
South Chicago Branch Library	551,657
North Pulaski/Humboldt Library	2,753,474
Roosevelt Branch	204,000
Rockwell Gardens Reading & Study Center	0
Pullman Branch Library	<u>632,063</u>
Total	\$8,489,798
Total, Article 89	\$20,400

ARTICLE 90

DEPARTMENT OF AGRICULTURE

Section 5. The following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Agriculture for repairs, maintenance, and capital improvements including construction, reconstruction, improvement, repair and installation of capital facilities, cost of planning, supplies, materials, equipment, services and all other expenses required to complete the work:

Payable from Agricultural Premium Fund:

For various projects at the State	
Fairgrounds	600,000
For various projects at the DuQuoin State	
Fairgrounds	<u>225,000</u>
Total	\$825,000
Total, Article 90	\$825,000

ARTICLE 91

DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

Section 5. The amount of \$16,562,392, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 3, Section 55 of Public Act 93-91, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for a grant to the DuPage Airport Authority for planning, design, construction and access infrastructure related to the hi-tech business campus.

Section 10. The amount of \$6,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 3, Section 60 of Public Act 93-91, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for a grant for planning, design, construction, and all other costs associated with a new Ford Technical Training Center.

Section 15. The sum of \$500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 3, Section 95 of Public Act 93-91, is reappropriated from the Capital Development Fund to the Department of Commerce and Economic Opportunity for a grant to Argonne National Laboratory for the "TRUE GRID I WIRE" Program.

Section 20. The amounts of \$22,000,000 and \$551,947, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from reappropriations heretofore made in Article 3, Section 115 of Public Act 93-91, are reappropriated from the Coal Development Fund to the Department of Commerce and Economic Opportunity for the purpose of providing partial funds for planning, design, engineering and testing, and construction of a low emissions boiler system for Illinois high-sulfur coals.

No contract shall be entered into or obligation incurred for any expenditure made in this

Section of this Article until after the purpose and amounts have been approved in writing by the Governor.

Section 25. The sum of \$6,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 3, Section 110 of Public Act 93-91, is reappropriated from the Coal Development Fund to the Department of Commerce and Economic Opportunity for the Coal Demonstration Program.

Section 30. The sum of \$6,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 3, Section 105 of Public Act 93-91, is reappropriated from the Coal Development Fund to the Department of Commerce and Economic Opportunity for Coal Development Programs.

Section 35. The sum of \$50,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 3, Section 105 of Public Act 93-91, is reappropriated from the Coal Development Fund to the Department of Commerce and Economic Opportunity for grants pursuant to 20 ILCS 605/605-332 – Coal Revival Program.

Section 40. The amount of \$1,039,300, or so much thereof as may be necessary, and as remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 3, Section 200 of Public Act 93-91, is reappropriated from the Coal Development Fund to the Department of Commerce and Economic Opportunity for the development of other forms of energy.

No contract shall be entered into or obligation incurred for any expenditure made in this Section of this Article until after the purpose and amounts have been approved in writing by the Governor.

Section 45. The sum of \$15,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 5, Division FY04, Section 8 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans pursuant but not limited to Article 8, Article 9 or Article 10 of the Build Illinois Act.

Section 50. The sum of \$7,045,856, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for such purpose in Article 5, Division FY00, Section 1-9 of Public Act 93-587, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans pursuant but not limited to Article 8 or Article 10 of the Build Illinois Act.

Section 55. The sum of \$5,920,528, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 5, Division FY01, Section 5 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans pursuant but not limited to Article 8, Article 9 or Article 10 of the Build Illinois Act.

Section 60. The sum of \$16,737,962, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 5, Division FY02, Section 5 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans pursuant but not limited to Article 8, Article 9 or Article 10 of the Build Illinois Act.

Section 65. The sum of \$11,450,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 5, Division FY03, Section 23 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants and loans pursuant but not limited to Article 8, Article 9 or Article 10 of the Build Illinois Act.

Section 70. The sum of \$15,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 5, Division FY04, Section 15 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for grants to companies to expand or construct ethanol plants in Illinois.

Section 75. The sum of \$13,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 5, Division FY03, Section 19 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to the Argonne National Laboratory for the Rare Isotope Accelerator for bondable infrastructure

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improvements. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 80. The sum of \$17,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 5, Division FY04, Section 7 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Argonne National Laboratory for the Nanotechnology Institute for bondable infrastructure improvements. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 85. The sum of \$15,887,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 5, Division FY03, Section 20 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Department of Commerce and Economic Opportunity for a grant to Argonne National Laboratory for the Nanotechnology Institute for bondable infrastructure improvements. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Total, Article 91

\$225,694,985

ARTICLE 92

DEPARTMENT OF NATURAL RESOURCES

GRANTS AND REIMBURSEMENTS - GENERAL OFFICE

Section 5. The amount of \$0, or so much thereof as may be necessary, is appropriated from the General Revenue Fund to the Department of Natural Resources for contributions of funds to park districts and other entities as provided by the "Illinois Horse Racing Act of 1975" and to public museums and aquariums located in park districts, as provided by "AN ACT concerning aquariums and museums in public parks" and the "Illinois Horse Racing Act of 1975" as now or hereafter amended.

Section 10. The sum of \$725,000, or so much thereof as may be necessary, is appropriated from the State Boating Act Fund to the Department of Natural Resources for the administration and payment of grants to local governmental units for the construction, maintenance, and improvement of boat access areas.

Section 15. The sum of \$120,000, or so much thereof as may be necessary, is appropriated from the State Boating Act Fund to the Department of Natural Resources for the purposes of the Snowmobile Registration and Safety Act and for the administration and payment of grants to local governmental units for the construction, land acquisition, lease, maintenance and improvement of snowmobile trails and access areas.

Section 20. To the extent federal funds including reimbursements are available for such purposes, the sum of \$1,075,000, or so much thereof as may be necessary, is appropriated from the State Boating Act Fund to the Department of Natural Resources for all costs for construction and development of facilities for transient, non-trailerable recreational boats, including grants for such purposes and authorized under the Boating Infrastructure Grant Program.

Section 25. The following named sums, new appropriations, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Natural Resources:

Payable from State Boating Act Fund:

For multiple use facilities and programs for boating purposes provided by the Department of Natural Resources, including construction and development, all costs for supplies, materials, labor, land acquisition, services, studies and all other expenses required to comply with the intent of this appropriation

1,200,000

Payable from State Parks Fund:

For multiple use facilities and programs for park and trail purposes provided by the Department of Natural Resources, including construction and development, all costs for supplies, materials, labor, land

acquisition, services, studies, and
all other expenses required to comply with
the intent of this appropriation

150,000

Section 30. The sum of \$100,000, or so much thereof as may be necessary, is appropriated from the Wildlife and Fish Fund to the Department of Natural Resources for acquisition and development, including grants, for the implementation of the North American Waterfowl Management Plan within the Dominion of Canada or the United States which specifically provides waterfowl for the Mississippi Flyway.

Section 35. To the extent federal funds including reimbursements are available for such purposes, the sum of \$100,000, or so much thereof as may be necessary, is appropriated from the Wildlife and Fish Fund to the Department of Natural Resources for construction and renovation of waste reception facilities for recreational boaters, including grants for such purposes authorized under the Clean Vessel Act.

Section 40. The sum of \$2,000,000, or so much thereof as may be necessary, is appropriated from the Wildlife and Fish Fund to the Department of Natural Resources for wildlife conservation and restoration plans and programs from federal funds provided for such purposes.

Section 45. The following named sums, or so much thereof as may be necessary, respectively, herein made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, are appropriated to the Department of Natural Resources for refunds and the purposes stated:

Payable from Forest Reserve Fund:

For U.S. Forest Service Program 500,000

Section 50. The sum of \$110,000, or so much thereof as may be necessary, is appropriated from the Plugging and Restoration Fund to the Department of Natural Resources, Office of Mines and Minerals for the Landowner Grant Program authorized under the Oil and Gas Act, as amended by Public Act 90-0260.

Section 55. The sum of \$1,500,000, or so much thereof as may be necessary, is appropriated to the Department of Natural Resources from the Abandoned Mined Lands Set Aside Fund for grants and contracts to conduct research, planning and construction to eliminate hazards created by abandoned mines and any other expenses necessary for emergency response.

Section 60. The sum of \$110,000, or so much thereof as may be necessary, is appropriated to the Department of Natural Resources from the State Furbearer Fund for the conservation of fur bearing mammals in accordance with the provisions of Section 5/1.32 of the "Wildlife Code", as now or hereafter amended.

Section 65. The following named sums, new appropriations, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Natural Resources:

Payable from Natural Areas Acquisition Fund:

For the acquisition, preservation and
stewardship of natural areas, including habitats
for endangered and threatened species, high
quality natural communities, wetlands
and other areas with unique or unusual
natural heritage qualities

4,500,000

Section 70. The sum of \$20,000,000, or so much thereof as may be necessary, is appropriated from the Open Space Lands Acquisition and Development Fund to the Department of Natural Resources for expenses connected with and to make grants to local governments as provided in the "Open Space Lands Acquisition and Development Act".

Section 75. The sum of \$550,000, or so much thereof as may be necessary, is appropriated from the State Pheasant Fund to the Department of Natural Resources for the conservation of pheasants in accordance with the provisions of Section 5/1.31 of the "Wildlife Code", as now or hereafter amended.

FOR ILLINOIS HABITAT FUND PROGRAM

Section 80. The sum of \$1,150,000, or so much thereof as may be necessary, is appropriated from the Illinois Habitat Fund to the Department of Natural Resources for the preservation and maintenance of high quality habitat lands in accordance with the provisions of the "Habitat Endowment Act", as now or hereafter amended.

Section 85. The sum of \$250,000, or so much thereof as may be necessary, is

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appropriated from the Illinois Habitat Fund to the Department of Natural Resources for the preservation and maintenance of a high quality fish and wildlife habitat and to promote the heritage of outdoor sports in Illinois from revenue derived from the sale of Sportsmen Series license plates.

Section 90. The sum of \$600,000, or so much thereof as may be necessary, is appropriated to the Department of Natural Resources for expenditure by the Office of Water Resources from the Flood Control Land Lease Fund for disbursement of monies received pursuant to Act of Congress dated September 3, 1954 (68 Statutes 1266, same as appears in Section 701c-3, Title 33, United States Code Annotated), provided such disbursement shall be in compliance with 15 ILCS 515/1 Illinois Compiled Statutes.

Section 95. The following named sums, or so much thereof as may be necessary, respectively, herein made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, are appropriated to the Department of Natural Resources for refunds and the purposes stated:

Payable from Land and Water Recreation Fund:

For Outdoor Recreation Programs 6,200,000

Section 100. The sum of \$600,000, or so much thereof as may be necessary, is appropriated from the Off Highway Vehicle Trails Fund to the Department of Natural Resources for grants to units of local governments, not-for-profit organizations, and other groups to operate, maintain and acquire land for off-highway vehicle trails and parks as provided for in the Recreational Trails of Illinois Act, including administration, enforcement, planning and implementation of this Act.

Section 110. The following named sums, or so much thereof as may be necessary, respectively, herein made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, are appropriated to the Department of Natural Resources for refunds and the purposes stated:

Payable from Federal Title IV Fire

Protection Assistance Fund:

For Rural Community Fire Protection Programs 325,000

Section 115. The sum of \$80,000, or so much thereof as may be necessary, is appropriated from the Snowmobile Trail Establishment Fund to the Department of Natural Resources for the administration and payment of grants to nonprofit snowmobile clubs and organizations for construction, maintenance, and rehabilitation of snowmobile trails and areas for the use of snowmobiles.

Section 120. The sum of \$625,000, or so much thereof as may be necessary, is appropriated from the Illinois Forestry Development Fund to the Department of Natural Resources for the payment of grants to timber growers for implementation of acceptable forestry management practices as provided in the "Illinois Forestry Development Act" as now or hereafter amended.

Section 125. To the extent Federal Funds including reimbursements are made available for such purposes, the sum of \$300,000, is appropriated from the Illinois Forestry Development Fund to the Department of Natural Resources for Forest Stewardship Technical Assistance.

Section 130. The sum of \$160,000, or so much thereof as may be necessary, is appropriated from the State Migratory Waterfowl Stamp Fund to the Department of Natural Resources for the payment of grants for the implementation of the North American Waterfowl Management Plan within the Dominion of Canada or the United States which specifically provides waterfowl to the Mississippi Flyway as provided in the "Wildlife Code", as amended.

Section 135. The sum of \$160,000, or so much thereof as may be necessary, is appropriated from the State Migratory Waterfowl Stamp Fund to the Department of Natural Resources for the payment of grants for the development of waterfowl propagation areas within the Dominion of Canada or the United States which specifically provide waterfowl for the Mississippi Flyway as provided in the "Wildlife Code", as amended.

Section 140. The sum of \$500,000, or so much thereof as may be necessary, is appropriated from the State Migratory Waterfowl Stamp Fund to the Department of Natural Resources for the purpose of attracting waterfowl and improving public migratory waterfowl areas within the State.

Section 145. The sum of \$2,500,000, or so much thereof as may be necessary, is

appropriated from the Park and Conservation Fund to the Department of Natural Resources for grants to units of local government for the acquisition and development of bike paths.

Section 150. The sum of \$500,000, or so much thereof as may be necessary, is appropriated from the Park and Conservation Fund to the Department of Natural Resources for land acquisition, development and maintenance of bike paths and all other related expenses connected with the acquisition, development and maintenance of bike paths.

Section 155. The sum of \$1,500,000, or so much thereof as may be necessary, is appropriated from the Park and Conservation Fund to the Department of Natural Resources for the development and maintenance of recreational trails and trail-related projects authorized under the Intermodal Surface Transportation Efficiency Act of 1991, provided such amount shall not exceed funds to be made available for such purposes from state or federal sources.

Section 160. The following named sums, new appropriations, or so much thereof as may be necessary, respectively, for the objects and purposes hereinafter named, are appropriated to the Department of Natural Resources:

Payable from the Illinois Beach Marina Fund:

For rehabilitation, reconstruction, repair, replacing, fixed assets, and improvement of facilities at North Point Marina at Winthrop Harbor	375,000
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Section 165. The sum of \$6,000,000, or so much thereof as may be necessary, is appropriated to the Department of Natural Resources from the Abandoned Mined Lands Reclamation Council Federal Trust Fund for grants and contracts to conduct research, planning and construction to eliminate hazards created by abandoned mines, and any other expenses necessary for emergency response.

Section 170. The sum of \$5,000,000, or so much thereof as may be necessary, is appropriated from the State Parks Fund to the Department of Natural Resources, in coordination with the Capital Development Board, for the development of the World Shooting and Recreation Complex including all construction expenses required to comply with this appropriation. Provided further, to the extent that revenues are received for such purposes, said revenues must come from non-State sources.

Section 175. No contract shall be entered into or obligation incurred or any expenditure made from an appropriation herein made in Section 170 until after the purpose and amount of such expenditure has been approved in writing by the Governor.

Total, Article 92	\$59,565,000
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ARTICLE 93

DEPARTMENT OF NATURAL RESOURCES

Section 5. The sum of \$750,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 200, page 43, line 14 of Public Act 93-97, as amended, is reappropriated from the State Boating Act Fund to the Department of Natural Resources for the administration and payment of grants to local governmental units for the construction, maintenance, and improvement of boat access areas.

Section 10. The sum of \$2,429,300, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 200, page 43, line 15 of Public Act 93-97, as amended, is reappropriated from the State Boating Act Fund to the Department of Natural Resources for the administration and payment of grants to local governmental units for the construction, maintenance, and improvement of boat access areas.

Section 15. The sum of \$120,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 240, page 46, line 26 of Public Act 93-97, as amended, is reappropriated from the State Boating Act Fund to the Department of Natural Resources for the purposes of the Snowmobile Registration and Safety Act and for the administration and payment of grants to local governmental units for the construction, land acquisition, lease, maintenance and improvement of snowmobile trails and access areas.

Section 20. The sum of \$175,100, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 240, page 46, line 27 of Public Act 93-97, as amended, is reappropriated from the State Boating Act Fund to the Department of Natural Resources for the purposes of the

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Snowmobile Registration and Safety Act and for the administration and payment of grants to local governmental units for the construction, land acquisition, lease, maintenance and improvement of snowmobile trails and access areas.

Section 30. To the extent federal funds including reimbursements are available for such purposes, the sum of \$1,598,400, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 1, Section 220 of Public Act 93-97, as amended, is reappropriated from the State Boating Act Fund to the Department of Natural Resources for all costs for construction and development of facilities for transient, non-trailerable recreational boats, including grants for such purposes and authorized under the Boating Infrastructure Grant Program.

Section 35. The following named sum, or so much thereof as may be necessary, respectively, and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made for such purposes, is reappropriated to the Department of Natural Resources for the objects and purposes set forth below:

Payable from State Boating Act Fund:

(From Article 1, Section 145 on
page 34, lines 3-10, of
Public Act 93-97, as amended)

For multiple use facilities and programs
for boating purposes provided by the
Department of Natural Resources including
construction and development, all costs
for supplies, materials, labor, land
acquisition, services, studies and all
other expenses required to comply with
the intent of this appropriation

1,608,200

Section 40. The following named sum, or so much thereof as may be necessary, respectively, and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made for such purposes, is reappropriated to the Department of Natural Resources for the objects and purposes set forth below:

Payable from State Boating Act Fund:

(Section
150 on page 35, lines 29-33 and on
page 36, lines 1-4 of
Public Act 93-97, as amended)

For multiple use facilities and programs
for boating purposes provided by the
Department of Natural Resources including
construction and development, all costs
for supplies, materials, labor, land
acquisition, services, studies and all
other expenses required to comply with
the intent of this appropriation

1,200,000

Section 45. The following named sums, or so much thereof as may be necessary, respectively, and as remain unexpended at the close of business on June 30, 2004, from appropriations heretofore made for such purposes, are reappropriated to the Department of Natural Resources for the objects and purposes set forth below:

Payable from the State Parks Fund:

(From Article 1, Section 150
on page 36, lines 18-25 of Public
Act 93-97, as amended)

For multiple use facilities and programs
for park and trail purposes provided
by the Department of Natural Resources, including
construction and development, all costs
for supplies, materials, labor, land
acquisition, services, studies, and
all other expenses required to comply with
the intent of this appropriation

150,000

Payable from the State Parks Fund:
 (From Article 1, Section 145 on
 page 35, lines 5-12, of Public
 Act 93-97, as amended)

For multiple use facilities and programs
 for park and trail purposes provided
 by the Department of Natural Resources, including
 construction and development, all costs
 for supplies, materials, labor, land
 acquisition, services, studies, and
 all other expenses required to comply with
 the intent of this appropriation

493,200

Section 50. The sum of \$1,651,800, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 90, page 28, line 6 of Public Act 93-97, as amended, is reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for wildlife conservation and restoration plans and programs from federal funds provided for such purposes.

Section 55. The sum of \$3,312,800, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 90, page 28, line 7 of Public Act 93-97, as amended, is reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for wildlife conservation and restoration plans and programs from federal funds provided for such purposes.

Section 60. To the extent federal funds including reimbursements are available for such purposes, the sum of \$100,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 215, page 44, line 15 of Public Act 93-97, as amended, is reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for construction and renovation of waste reception facilities for recreational boaters, including grants for such purposes authorized under the Clean Vessel Act.

Section 65. To the extent federal funds including reimbursements are available for such purposes, the sum of \$227,500, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 215, page 44, line 16 of Public Act 93-97, as amended, is reappropriated from the Wildlife and Fish Fund to the Department of Natural Resources for construction and renovation of waste reception facilities for recreational boaters, including grants for such purposes authorized under the Clean Vessel Act.

Section 70. The sum of \$2,000,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 1, Section 155, page 36, line 27 of Public Act 93-97, is reappropriated from the Capital Development Fund to the Department of Natural Resources for planning, design and construction of ecosystem rehabilitation, habitat restoration and associated development in cooperation with the U.S. Army Corps of Engineers.

Section 75. The sum of \$3,362,600, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 1, Section 155, page 36, line 28 of Public Act 93-97, is reappropriated from the Capital Development Fund to the Department of Natural Resources for planning, design and construction of ecosystem rehabilitation, habitat restoration and associated development in cooperation with the U.S. Army Corps of Engineers.

Section 80. The sum of \$31,326,700, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 115, page 29, line 30 of Public Act 93-97, and Article 6, Section 1285 of Public Act 93-587, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources to acquire, protect and preserve open space and natural lands.

Section 85. The sum of \$4,555,400, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 40, page 6, line 12, Public Act 93-97 as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for the non-federal cost share of a Conservation Reserve Enhancement Program to establish long-term contracts and permanent conservation easements in the Illinois River Basin; to fund cost-share assistance to landowners to

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encourage approved conservation practices in environmentally sensitive and highly erodible areas of the Illinois River Basin; and to fund the monitoring of long term improvements of these conservation practices as required in the Memorandum of Agreement between the State of Illinois and the United State Department of Agriculture.

Section 90. The sum of \$1,191,200, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 40, page 6, line 13, of Public Act 93-97 as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for the non-federal cost share of a Conservation Reserve Enhancement Program to establish long-term contracts and permanent conservation easements in the Illinois River Basin; to fund cost-share assistance to landowners to encourage approved conservation practices in environmentally sensitive and highly erodible areas of the Illinois River Basin; and to fund the monitoring of long term improvements of these conservation practices as required in the Memorandum of Agreement between the State of Illinois and the United State Department of Agriculture.

Section 95. The sum of \$2,304,800, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 1, Section 170 of Public Act 93-97, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for the acquisition of lands, buildings, and structures, including easements and other property interests, located in the 100-year floodplain in counties or portions of counties authorized to prepare stormwater management plans and for removing such buildings and structures and preparing the site for open space use.

Section 100. The sum of \$11,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 1, Section 175 of Public Act 93-97, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for water development projects at the approximate cost set forth below:

Union - McHenry County - for flood control and drainage improvement of unnamed Kishwaukee River tributary	200,000
Wood River - Madison County - for partial payment of the non-federal cost requirements to construct Grassy Lake Pump Station Project in cooperation with the Wood River Drainage and Levee District	200,000
Flood Hazard Mitigation - For implementation of flood hazard mitigation plans, and acquisition of wetland and tree mitigation sites for state and local joint flood control projects in cooperation with federal agencies, state agencies, and units of local government, in various counties	3,300,000
Fox Chain of Lakes - Lake and McHenry Counties - For the state cost share in implementation of the comprehensive Dredging and Disposal Plan, including beneficial use of dredge material and island creation, for the Fox River and Chain of Lakes	2,000,000
Fox River Dams - Kane County - For rehabilitation, modification, and reconstruction of Batavia and Yorkville Dams	2,600,000
Field Service Facility - Sangamon County - For site development and construction of a field survey service building and storage facility	200,000
East St. Louis & Vicinity Flood Control -	

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Madison and St. Clair Counties - For partial payment of the non-federal cost requirement of an interior flood protection project and ecosystem restoration at East St. Louis and Vicinity area	1,800,000
Prairie/Farmers Creeks - Cook County - For costs associated with the implementation of flood damage reduction measures along Prairie/Farmers Creeks and the Des Plaines River, including for partial payment of the non-federal cost requirements of the U.S. Army Corps of Engineers' Upper Des Plaines River Flood Control Project	600,000
Small Drainage and Flood Control Projects - For implementation of small drainage and flood control improvements in accordance with plans developed in cooperation with local governments and school districts, not to exceed \$100,000 at any single locality <u>100,000</u>	
Total	\$11,000,000

FOR WATERWAY IMPROVEMENTS

Section 105. The sum of \$35,603,700, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article I, Section 160 of Public Act 93-97, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources for the following projects at the approximate costs set forth below:

Addison Creek Watershed - Cook and DuPage Counties	214,800
Chandlerville/Panther Creek - Cass County	342,100
Chicago Harbor Leakage Control - Cook County - For implementation of a project to identify, measure, control, and eliminate leakage flows through controlling structures at the mouth of the Chicago River in cooperation with federal agencies and units of local government	990,500
Crisenberry Dam - Jackson County: For complete rehabilitation of the dam and spillway, including the required geotechnical investigation, the preparation of plans and specifications, and the construction of the proposed rehabilitation	633,000
Crystal Creek - Cook County	2,866,800
East Chicago (Ford Heights) - Cook County - For partial payment of the non-federal cost requirements of the Deer Creek federal flood control and ecosystem restoration project in cooperation with the Village of East Chicago	925,600
East Peoria - Tazewell County	1,920,600
East St. Louis and Vicinity Flood Control - Madison and St. Clair Counties - For partial payment of the non-federal cost	

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requirements of an interior flood protection project and ecosystem restoration at East St. Louis and Vicinity area	500,000
Floor Service Facility – Sangamon County	200,000
Flood Mitigation - Disaster Declaration Areas	3,281,300
Fox Chain O'Lakes - Lake and McHenry Counties	2,775,700
Fox River Dams - Kane, Kendall and McHenry Counties	5,709,100
Granite City - Area Groundwater-Madison County	300,000
Havana Facilities - Mason County	199,400
Hickory Hills - Cook County	158,500
Hickory/Spring Creeks Watershed - Cook and Will Counties	2,752,000
Illinois River Mitigation - Calhoun, Jersey, Peoria and Woodford Counties	81,000
Indian Creek - Kane County	100,100
Kaskaskia River System - Randolph, Monroe and St. Clair Counties	34,000
Kyte River - Rochelle, Ogle County	1,450,900
Lake Michigan Artificial Reef - Cook County	28,100
Little Calumet Watershed - Cook County	14,200
Loves Park - Winnebago County	489,800
Lower Des Plaines River Watershed - Cook and Lake Counties	975,000
Metro-East Sanitary District - Madison and St. Clair Counties	60,600
North Branch Chicago River Watershed - Cook and Lake Counties	25,700
Prairie du Rocher - Randolph County: For partial payment to implement the federal flood protection project for the Village of Prairie du Rocher in cooperation with local units of government	10,000
Prairie/Farmers Creek - Cook County	5,234,000
Asian Carp Barrier - Cook County	1,800,000
Rock River Dams - Rock Island and Whiteside Counties	186,000
Small Drainage and Flood Control Projects - Statewide (not to exceed \$100,000 at any locality)	464,900
Union - McHenry County	30,000
Village of Justice - Cook County	100,000
W. B. Stratton (McHenry) Lock and Dam - McHenry County	<u>750,000</u>
Total	\$35,603,700

Section 110. The sum of \$342,600, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 1, Section 165 of Public Act 93-97, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for expenditure by the Office of Water Resources in cooperation with federal agencies, state agencies and units of local government in the implementation of flood hazard mitigation plans in counties that received a Presidential Disaster Declaration as a result of flooding in calendar years 1993 and thereafter, in accordance with

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reports filed under Section 5 of the "Flood Control Act of 1945".

Section 115. The sum of \$5,000,000, or so much thereof as may be necessary, and as remains unexpended at the close of business on June 30, 2004, from reappropriations heretofore made in Article 1, Section 290, page 50, line 1 of Public Act 93-97, and Article 3, Section 4 of Public Act 93-587, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for grants to public museums for permanent improvements.

Section 120. The sum of \$21,256,200, or so much thereof as may be necessary, and as remains unexpended at the close of business on June 30, 2004, from reappropriations heretofore made in Article 1, Section 290, page 50, line 2 of Public Act 93-97, and Article 3, Section 4 of Public Act 93-587, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for grants to public museums for permanent improvements.

Section 125. The amount of \$30,200, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 1, Section 285 of Public Act 93-97, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for grants to public museums for permanent improvements.

Section 130. The amount of \$4,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 3, Section 4 of Public Act 93-587, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources for grants to public museums for permanent improvements.

Section 135. The sum of \$110,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 95, page 28, line 17 of Public Act 93-97, as amended, is reappropriated to the Department of Natural Resources from the State Furbearer Fund for the conservation of fur bearing mammals in accordance with the provisions of Section 5/1.32 of the "Wildlife Code", as now or hereafter amended.

Section 140. The sum of \$122,100, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 95, page 28, line 18 of Public Act 93-97, as amended, is reappropriated to the Department of Natural Resources from the State Furbearer Fund for the conservation of fur bearing mammals in accordance with the provisions of Section 5/1.32 of the "Wildlife Code", as now or hereafter amended.

Section 145. The following named sums, or so much thereof as may be necessary, respectively, and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made for such purposes, are reappropriated to the Department of Natural Resources for the objects and purposes set forth below:

Payable from Natural Areas Acquisition Fund:

(From Article 1, Section
150 on page 36, lines 11-16, of Public
Act 93-97, as amended)

For the acquisition, preservation and
stewardship of natural areas,
including habitats for endangered and
threatened species, high quality natural
communities, wetlands and other areas
with unique or unusual natural
heritage qualities

3,665,400

Payable from Natural Areas Acquisition Fund:

(From Article 1, Section 145 on
page 34, lines 26-33, of Public
Act 93-97, as amended)

For the acquisition, preservation and
stewardship of natural areas,
including habitats for endangered and
threatened species, high quality natural
communities, wetlands and other areas
with unique or unusual natural
heritage qualities

2,896,200

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Section 150. The sum of \$20,000,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 225, page 45, line 4 of Public Act 93-97, as amended, is reappropriated from the Open Space Lands Acquisition and Development Fund to the Department of Natural Resources for expenses connected with and to make grants to local governments as provided in the "Open Space Lands Acquisition and Development Act".

Section 155. The sum of \$41,813,300, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 225, page 45, line 5 of Public Act 93-97, as amended, is reappropriated from the Open Space Lands Acquisition and Development Fund to the Department of Natural Resources for expenses connected with and to make grants to local governments as provided in the "Open Space Lands Acquisition and Development Act".

FOR STATE PHEASANT PROGRAM

Section 160. The sum of \$550,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 100, page 28, line 28 of Public Act 93-97, as amended, is reappropriated from the State Pheasant Fund to the Department of Natural Resources for the conservation of pheasants in accordance with the provisions of Section 5/1.31 of the "Wildlife Code", as now or hereafter amended.

Section 165. The sum of \$530,700, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 100, page 28, line 29 of Public Act 93-97, as amended, is reappropriated from the State Pheasant Fund to the Department of Natural Resources for the conservation of pheasants in accordance with the provisions of Section 5/1.31 of the "Wildlife Code", as now or hereafter amended.

Section 170. The sum of \$1,150,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 105, page 29, line 7 of Public Act 93-97, as amended, is reappropriated from the Illinois Habitat Fund to the Department of Natural Resources for the preservation and maintenance of high quality habitat lands in accordance with the provisions of the "Habitat Endowment Act", as now or hereafter amended.

Section 175. The sum of \$726,100, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 105, page 29, line 8 of Public Act 93-97, as amended, is reappropriated from the Illinois Habitat Fund to the Department of Natural Resources for the preservation and maintenance of high quality habitat lands in accordance with the provisions of the "Habitat Endowment Act", as now or hereafter amended.

Section 180. The sum of \$223,500, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 110, page 29, line 17 of Public Act 93-97, as amended, is reappropriated from the Illinois Habitat Fund to the Department of Natural Resources for the preservation and maintenance of a high quality fish and wildlife habitat and to promote the heritage of outdoor sports in Illinois from revenue derived from the sale of Sportsmen Series license plates.

Section 185. The sum of \$707,800, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 110, page 29, line 18 of Public Act 93-97, as amended, is reappropriated from the Illinois Habitat Fund to the Department of Natural Resources for the preservation and maintenance of a high quality fish and wildlife habitat and to promote the heritage of outdoor sports in Illinois from revenue derived from the sale of Sportsmen Series license plates.

Section 190. The following named sums, or so much thereof as may be necessary and as remain unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Sections 230 and 235 of Public Act 93-97, as amended, made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, are reappropriated to the Department of Natural Resources for refunds and the purposes stated:

Payable from Land and Water Recreation Fund:

(From Article 1, Section
235, page 46, line 18 of Public

Act 93-97, as amended)
 For Outdoor Recreation Programs 6,200,000
 Payable from Land and Water Recreation Fund:
 (From Article 1, Section 230
 on page 45, line 31, of Public
 Act 93-97, as amended)

For Outdoor Recreation Programs 10,623,700

Section 195. The sum of \$599,100, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 205, page 43, line 24 of Public Act 93-97, as amended, is reappropriated from the Off Highway Vehicle Trails Fund to the Department of Natural Resources for grants to units of local governments, not-for-profit organizations, and other groups to operate, maintain and acquire land for off-highway vehicle trails and parks as provided for in the Recreational Trails of Illinois Act, including administration, enforcement, planning and implementation of this Act.

Section 200. The sum of \$955,900, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 205, page 43, line 25 of Public Act 93-97, as amended, is reappropriated from the Off Highway Vehicle Trails Fund to the Department of Natural Resources for grants to units of local governments, not-for-profit organizations, and other groups to operate, maintain and acquire land for off-highway vehicle trails and parks as provided for in the Recreational Trails of Illinois Act, including administration, enforcement, planning and implementation of this Act.

Section 205. The sum of \$5,000,300, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made for such purposes in Article 1, Section 15 of Public Act 93-97, as amended, is reappropriated from the Conservation 2000 Projects Fund to the Department of Natural Resources for the acquisition, planning and development of land and long-term easements, and cost-shared natural resource management practices for ecosystem-based management of Illinois' natural resources, including grants for such purposes.

Section 210. The sum of \$10,194,900, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made for such purposes in Article 1, Section 20 of Public Act 93-97, as amended, is reappropriated from the Conservation 2000 Projects Fund to the Department of Natural Resources for the acquisition, planning and development of land and long-term easements, and cost-shared natural resource management practices for ecosystem-based management of Illinois' natural resources, including grants for such purposes.

Section 215. The following named sums, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Sections 230 and 235 of Public Act 93-97, as amended, made either independently or in cooperation with the Federal Government or any agency thereof, any municipal corporation, or political subdivision of the State, or with any public or private corporation, organization, or individual, are reappropriated to the Department of Natural Resources for refunds and the purposes stated:

Payable from Federal Title IV Fire Protection Assistance Fund:

(From Article 1, Section 235
 on page 46, lines 23-34 of Public
 Act 93-97, as amended)

For Rural Community Fire
 Protection Program 313,300

Section 220. Payable from Federal Title IV Fire Protection Assistance Fund:

(From Article 1, Section 230 on page
 46, lines 6-7, of Public
 Act 93-97, as amended)

For Rural Community Fire
 Protection Program 291,900

Section 225. The sum of \$82,500, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 245, page 47, line 6 of Public Act 93-97, as amended, is reappropriated from the Snowmobile Trail Establishment Fund to the Department of Natural Resources for the administration and payment of grants to nonprofit snowmobile clubs and organizations for

construction, maintenance, and rehabilitation of snowmobile trails and areas for the use of snowmobiles.

Section 230. The sum of \$71,400, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 245, page 47, line 7 of Public Act 93-97, as amended, is reappropriated from the Snowmobile Trail Establishment Fund to the Department of Natural Resources for the administration and payment of grants to nonprofit snowmobile clubs and organizations for construction, maintenance, and rehabilitation of snowmobile trails and areas for the use of snowmobiles.

Section 235. The sum of \$625,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 250, page 47, line 18 of Public Act 93-97, as amended, is reappropriated from the Illinois Forestry Development Fund to the Department of Natural Resources for the payment of grants to timber growers for implementation of acceptable forestry management practices as provided in the "Illinois Forestry Development Act" as now or hereafter amended.

Section 240. The sum of \$557,500, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 250, page 47, line 19 of Public Act 93-97, as amended, is reappropriated from the Illinois Forestry Development Fund to the Department of Natural Resources for the payment of grants to timber growers for implementation of acceptable forestry management practices as provided in the "Illinois Forestry Development Act" as now or hereafter amended.

Section 245. To the extent Federal Funds including reimbursements are made available for such purposes, the sum of \$236,900, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 255, page 48, line 1 of Public Act 93-97, as amended, is reappropriated from the Illinois Forestry Development Fund to the Department of Natural Resources for Forest Stewardship Technical Assistance.

Section 250. To the extent Federal Funds including reimbursements are made available for such purposes, the sum of \$225,300, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 255, page 48, line 2 of Public Act 93-97, as amended, is reappropriated from the Illinois Forestry Development Fund to the Department of Natural Resources for Forest Stewardship Technical Assistance.

Section 255. To the extent federal funds including reimbursements are made available for such purposes, the sum of \$35,300, or so much thereof as may be necessary and as remains unexpended, at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 260 of Public Act 93-97, as amended, is reappropriated from the Illinois Forestry Development Fund to the Department of Natural Resources for Urban Forestry programs, including technical assistance, education and grants.

Section 260. The sum of \$493,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 140, page 32, line 32 of Public Act 93-97, as amended, is reappropriated from the State Migratory Waterfowl Stamp Fund to the Department of Natural Resources for the purpose of attracting waterfowl and improving public migratory waterfowl areas within the State.

Section 265. The sum of \$2,360,100, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 140, page 33, line 1 of Public Act 93-97, as amended, is reappropriated from the State Migratory Waterfowl Stamp Fund to the Department of Natural Resources for the purpose of attracting waterfowl and improving public migratory waterfowl areas within the State.

FOR BIKEWAYS PROGRAMS

Section 270. The following named sums, or so much thereof as may be necessary, and is available for expenditure as provided herein, are appropriated from the Park and Conservation Fund to the Department of Natural Resources for the following purposes:

Section 275. The sum of \$10,900 or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 1, Section 130, on page 31, lines 20-26 of Public Act 93-97, as amended, is reappropriated for land acquisition, development and grants, for the following bike paths at the approximate costs set forth below:

Great River Road/Vadalabene Bikeway

through Grafton	5,300
Super Trail between the Quad Cities and Savannah	0
Illinois Prairie Path in Cook County	5,600

Section 280. The sum of \$2,500,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 130, on page 31, line 33 Public Act 93-97, as amended, is reappropriated from the Park and Conservation Fund to the Department of Natural Resources for grants to units of local government for the acquisition and development of bike paths.

Section 285. The sum of \$14,044,500, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 130, on page 32, lines 1-7 of Public Act 93-97, as amended, is reappropriated from the Park and Conservation Fund to the Department of Natural Resources for grants to units of local government for the acquisition and development of bike paths.

Section 290. The sum of \$56,700, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 1, Section 130, on page 32, lines 8-14 of Public Act 93-97, as amended, is reappropriated from the Park and Conservation Fund to the Department of Natural Resources for land acquisition, development, grants and all other related expenses connected with the acquisition and development of bike paths.

No funds in this Section may be expended in excess of the revenues deposited in the Park and Conservation Fund as provided for in Section 2-119 of the Illinois Vehicle Code.

Section 300. The sum of \$995,300, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 1, Section 125 of Public Act 93-97, as amended, is reappropriated from the Park and Conservation Fund to the Department of Natural Resources for multiple use facilities and programs for conservation purposes provided by the Department of Natural Resources, including repairing, maintaining, reconstructing, rehabilitating, replacing fixed assets, construction and development, marketing and promotions, all costs for supplies, materials, labor, land acquisition and its related costs, services, studies, and all other expenses required to comply with the intent of this appropriation.

Section 305. The sum of \$500,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 130 on page 31, line 11 of Public Act 93-97, as amended, is reappropriated from the Park and Conservation Fund to the Department of Natural Resources for land acquisition, development and maintenance of bike paths and all other related expenses connected with the acquisition, development and maintenance of bike paths.

Section 310. The sum of \$2,034,600, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 120 of Public Act 93-97, as amended, is reappropriated to the Department of Natural Resources from the Park and Conservation Fund for multiple use facilities and programs for conservation purposes provided by the Department of Natural Resources, including repairing, maintaining, reconstructing, rehabilitating, replacing fixed assets, construction and development, marketing and promotions, all costs for supplies, materials, labor, land acquisition and its related costs, services, studies, and all other expenses required to comply with the intent of this appropriation.

Section 315. The sum of \$4,589,500, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 130 on page 31, line 12 of Public Act 93-97, as amended, is reappropriated from the Park and Conservation Fund to the Department of Natural Resources for land acquisition, development and maintenance of bike paths and all other related expenses connected with the acquisition, development and maintenance of bike paths.

Section 320. The sum of \$1,500,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 135, page 32, line 19 of Public Act 93-97, as amended, is reappropriated from the Park and Conservation Fund to the Department of Natural Resources for the development and maintenance of recreational trails and trail-related projects authorized under the Intermodal Surface Transportation Efficiency Act of 1991, provided such amount shall not exceed funds to be

made available for such purposes from state or federal sources.

Section 325. The sum of \$4,427,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 135, page 32, line 20 of Public Act 93-97, as amended, is reappropriated from the Park and Conservation Fund to the Department of Natural Resources for the development and maintenance of recreational trails and trail-related projects authorized under the Intermodal Surface Transportation Efficiency Act of 1991, provided such amount shall not exceed funds to be made available for such purposes from state or federal sources.

Section 330. The sum of \$2,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 5, Division FY04, Section 1 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for grants and contracts for well plugging and restoration projects. The appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 335. The sum of \$15,591,300, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 5, Division FY03, Section 24 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for grants to museums for permanent improvements.

Section 340. The sum of \$7,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 5, Division FY04, Section 2 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for the Division of Water Resources for costs associated with the repair of the Lake Michigan shoreline in Chicago. The appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 345. The sum of \$382,700, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 5, Division FY02, Section 1 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for grants and contracts for well plugging and restoration projects. The appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 350. The sum of \$1,198,600, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 5, Division FY03, Section 1 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for grants and contracts for well plugging and restoration projects. The appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 355. The sum of \$571,700, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 5, Division FY02, Section 2 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for the Division of Water Resources for costs associated with the repair of the Lake Michigan shoreline in Chicago. The appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 360. The sum of \$7,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 5, Division FY03, Section 2 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for the Division of Water Resources for costs associated with the repair of the Lake Michigan shoreline in Chicago. The appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 365. The amount of \$33,311, or so much thereof as may be necessary and remains unexpended on June 30, 2004, from appropriations heretofore made for such purposes in Article 5, Division FY86, Section 8-1.22 of Public Act 93-587, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for costs associated with drainage, flood control and related improvements.

Section 370. The amount of \$20,058, or so much thereof as may be necessary and remains unexpended on June 30, 2004, from appropriations heretofore made for such purposes in Article 5, Division FY87a, Section 6-1.21 of Public Act 93-587, as amended, is reappropriated

from the Build Illinois Bond Fund to the Department of Natural Resources for costs associated with drainage, flood control and related improvements.

Section 375. The amount of \$189,520, or so much thereof as may be necessary and remains unexpended on June 30, 2004, from appropriations heretofore made for such purposes in Article 5, Division FY86, Section 8-1.21 of Public Act 93-587, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for the completion of the following projects at the approximate costs set forth below:

Lower Des Plaines River at Tributaries Watershed -

Cook and DuPage Counties - for construction of drainage, flood control, recreation and related improvements and facilities in the Lower Des Plaines Watershed; and for necessary land acquisition, relocation, and related expenses, all in general conformance with the Lower Des Plaines River and Tributaries Watershed Work plan in cooperation with the U.S. Soil Conservation Service and local governments sponsoring this Federal Flood Control project

189,520

Section 380. The amount of \$132,507, or so much thereof as may be necessary and remains unexpended on June 30, 2004, from appropriations heretofore made for such purposes in Article 5, Division FY89, Section 4-1.13 of Public Act 93-587, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for the following projects at the approximate costs set forth below:

Des Plaines Watershed Mitigation - Cook, DuPage, and Lake Counties - For

implementation of flood hazard mitigation plans, developed in cooperation with units of local government in the Des Plaines Watershed, filed in accordance with Section 5 of the Flood Control Act of 1945, as amended (Ill. Rev. Stat., Ch. 19, par. 126e)

70,935

Indian Creek - Kane County - For implementation of the Indian Creek flood control project in Kane County in cooperation with the City of Aurora

13,850

Midlothian Creek - Cook County - Improvement of Midlothian Creek channel to provide flood damage reduction for Fernway Subdivision in cooperation with the Villages of Orland Park and Tinley Park

47,722

Total

\$132,507

Section 385. The following named sums, or so much thereof as may be necessary, respectively, and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made for such purposes, are reappropriated to the Department of Natural Resources for the objects and purposes set forth below:

Payable from the Illinois Beach Marina Fund:

(From Article 1, Section 145 on page 34, lines 15-19, of Public Act 93-97, as amended)

For rehabilitation, reconstruction, repair, replacing, fixed assets, and improvement of facilities at North Point Marina at Winthrop Harbor

97,500

Section 390. The following named sums, or so much thereof as may be necessary, respectively, and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made for such purposes, are reappropriated to the Department of Natural

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Resources for the objects and purposes set forth below:

Payable from the Illinois Beach Marina Fund:

(From Article 1, Section 150
on page 36, lines 6-9 of Public Act
93-97, as amended)

For rehabilitation, reconstruction,
repair, replacing, fixed assets,
and improvement of facilities at
North Point Marina at Winthrop
Harbor

250,000

Section 395. The sum of \$5,770,900, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 270, page 48, line 26 of Public Act 93-97, as amended, is reappropriated to the Department of Natural Resources from the Abandoned Mined Lands Reclamation Council Federal Trust Fund for grants and contracts to conduct research, planning and construction to eliminate hazards created by abandoned mines, and any other expenses necessary for emergency response.

Section 400. The sum of \$8,289,700, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 270, page 48, line 27 of Public Act 93-97, as amended, is reappropriated to the Department of Natural Resources from the Abandoned Mined Lands Reclamation Council Federal Trust Fund for grants and contracts to conduct research, planning and construction to eliminate hazards created by abandoned mines, and any other expenses necessary for emergency response.

Section 405. The sum of \$5,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 115, page 29, line 29 of Public Act 93-97, and Article 6, Section 1285 of Public Act 93-587, as amended, is reappropriated from the Capital Development Fund to the Department of Natural Resources to acquire, protect and preserve open space and natural lands.

Section 410. The sum of \$27,131, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for such purpose in Article 5, Division FY00, Section 1-5 of Public Act 93-587, as amended, is reappropriated from the Build Illinois Bond Fund to the Department of Natural Resources for grants and contracts for well plugging and restoration projects.

Section 415. No contract shall be entered into or obligation incurred or any expenditure made from a reappropriation herein made in Sections:

70 through 130,
190, 205, 210
270 through 380, and
405, 410

until after the purpose and amount of such expenditure has been approved in writing by the Governor.

Total, Article 93

\$331,364,327

ARTICLE 94

DEPARTMENT OF MILITARY AFFAIRS

Section 5. The sum of \$243,700, or so much thereof as may be necessary, is appropriated from the Illinois National Guard Armory Construction Fund to the Department of Military Affairs for land acquisition and construction of parking facilities at armories.

Total, Article 94

\$243,700

ARTICLE 95

DEPARTMENT OF MILITARY AFFAIRS

Section 10. The sum of \$3,134, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 55 of Public Act 93-0076, as amended, is reappropriated from the Illinois National Guard Armory Construction Fund to the Department of Military Affairs for land acquisition and construction of parking facilities at armories.

Total, Article 95

\$3,134

ARTICLE 96

DEPARTMENT OF STATE POLICE

Section 10. The sum of \$23,734,522, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made for such purposes in Article 7, Section 10 of Public Act 93-91, as amended, is reappropriated from the Capital Development Fund to the Department of State Police for the cost associated with a statewide voice communication system.
 Total, Article 96 \$23,734,522

ARTICLE 97

DEPARTMENT OF TRANSPORTATION

Section 5. The sum of \$9,000,000, or so much thereof as may be necessary, is appropriated from the Road Fund to the Department of Transportation for Permanent Improvements to Illinois Department of Transportation facilities, including but not limited to the purchase of land, construction, repair, alterations and improvements to maintenance and traffic facilities, district and central headquarters facilities, storage facilities, grounds, parking areas and facilities, fencing and underground drainage, including plans, specifications, utilities and fixed equipment installed and all costs and charges incident to the completion thereof at various locations.

Section 10. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

For costs associated with the identification and disposal of hazardous materials at storage facilities	1,158,600
For Maintenance, Traffic and Physical Research Purposes (A)	26,129,100
For repair of damages by motorists to highway guardrails, fencing, lighting units, bridges, underpasses, signs, traffic signals, crash attenuators, landscaping, roadside shelters, rest areas, fringe parking facilities, sanitary facilities, maintenance facilities including salt storage buildings, vehicle weight enforcement facilities including scale houses, and other highway appurtenances, provided such amount shall not exceed funds to be made available from collections from claims filed by the Department to recover the costs of such damages	5,500,000
For Maintenance, Traffic and Physical Research Purposes (B)	<u>12,207,100</u>
Total	\$44,994,800

Section 15. The following named amounts, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for the objects and purposes hereinafter named:

For apportionment to counties for construction of township bridges 20 feet or more in length as provided in Section 6-901 through 6-906 of the "Illinois Highway Code"	15,000,000
For apportionment to needy Townships and Road Districts, as determined by the Department in consultation with the County Superintendents of Highways, Township Highway Commissioners, or Road District Highway Commissioners	10,014,300
For apportionment to high-growth cities over 5,000 in population, as determined by the	

Department in consultation with the Illinois
Municipal League 4,000,000

For apportionment to counties
under 1,000,000 in population,
\$8,000,000 of the total apportioned
in equal amounts to each eligible
county, and \$13,800,000 apportioned
to each eligible county in proportion
to the amount of motor vehicle license
fees received from the residents of
eligible counties 21,800,000

Total \$50,814,300

Section 20. The following sums, or so much thereof as may be necessary, are appropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of State highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the "Illinois Highway Code"; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-0850; and for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations, and scale houses, in accordance with applicable laws and regulations as follows:

District 1, Schaumburg	0
District 2, Dixon	0
District 3, Ottawa	0
District 4, Peoria	0
District 5, Paris	0
District 6, Springfield	0
District 7, Effingham	0
District 8, Collinsville	0
District 9, Carbondale	0
Statewide	314,200,000
Engineering	<u>0</u>
Total	\$314,200,000

Section 25. The sum of \$26,250,000, or so much thereof as may be necessary, is appropriated from the Grade Crossing Protection Fund to the Department of Transportation for the installation of grade crossing protection or grade separations at places where a public highway crosses a railroad at grade, as ordered by the Illinois Commerce Commission, as provided by law.

Section 30. The sum of \$204,042,900 or so much thereof as may be necessary, is appropriated from the Federal/Local Airport Fund to the Department of Transportation for funding the local or federal share of airport improvement projects undertaken pursuant to pertinent state or federal laws, provided such amounts shall not exceed funds available from federal and/or local sources.

Section 35. The sum of \$3,500,000, or so much thereof as may be necessary, is appropriated from the State Rail Freight Loan Repayment Fund for funding the State Rail Freight Loan Repayment Program created by Section 49.25g-1 of the Civil Administrative Code of Illinois.

Section 40. The sum of \$5,000,000, or so much thereof as may be necessary, is appropriated from the Federal High Speed Rail Trust Fund to the Department of Transportation for the federal share of the High Speed Rail Project.

Section 45. The sum of \$15,039,000, or so much thereof as may be necessary, is appropriated from the Federal Mass Transit Trust Fund to the Department of Transportation for the federal share of capital, operating, consultant services, and technical assistance grants, as well as state administration and interagency agreements, provided such amounts shall not exceed funds to be made available from the Federal Government.

Section 50. The following sums, or so much thereof as may be necessary, are appropriated from the State Construction Account Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including

reconstruction, extension and improvement of State highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the "Illinois Highway Code"; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-0850; and for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations, and scale houses, in accordance with applicable laws and regulations as follows:

District 1, Schaumburg	441,655,200
District 2, Dixon	65,390,000
District 3, Ottawa	35,719,700
District 4, Peoria	180,351,200
District 5, Paris	49,390,400
District 6, Springfield	47,705,000
District 7, Effingham	29,600,500
District 8, Collinsville	91,798,400
District 9, Carbondale	29,414,600
Statewide	67,894,000
Engineering	<u>107,465,000</u>
Total	\$1,146,384,000

Section 55. The sum of \$1,100,000, or so much thereof as may be necessary, is appropriated from the Rail Freight Loan Repayment Fund to the Department of Transportation for the Rail Freight Service Assistance Program, created by Section 49.25a through 49.25g-1 of the Civil Administrative Code of Illinois.

Section 60. No contract shall be entered into or obligation incurred or any expenditure made from an appropriation herein made in

Section 5 Permanent Improvements
 Section 35 State Rail Freight Loan Repayment
 Section 40 Fed High Speed Rail Trust
 Section 55 Federal Rail Freight Loan Repayment

of this Article until after the purpose and the amount of such expenditure has been approved in writing by the Governor.

Total, Article 97 \$1,821,825,000

ARTICLE 98

DEPARTMENT OF TRANSPORTATION

Section 5. The sum of \$14,330,994, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation concerning Permanent Improvements heretofore made in Article 8A, Section 2 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 10. The sum of \$7,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation concerning Permanent Improvements heretofore made in Article 8, Section 2 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 15. The sum of \$5,390,104, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation concerning railroad relocation demonstration projects heretofore made in Article 8A, Section 3a of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes, provided such amount does not exceed funds to be made available from the federal government.

Section 20. The sum of \$155,595, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation concerning the State share of railroad relocation demonstration projects heretofore made in Article 8A, Section 3a2 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 25. The sum of \$14,405,287, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 3b1 of Public Act 93-91, as amended, for Engineering and Consultant

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Contracts only, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 30. The sum of \$41,483,251, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 3b of Public Act 93-91, as amended, for Engineering and Consultant Contracts only, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 35. The sum of \$100,918,676, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 3b3 of Public Act 93-91, as amended, for Engineering and Consultant Contracts only, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 40. The sum of \$6,624,021, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made for "Engineering and Consultant Contracts" in Article 8A, Section 3b2 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 45. The sum of \$500,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 3b4 of Public Act 93-91, as amended, for preliminary engineering for western access to O'Hare Airport, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 50. The sum of \$5,233,211, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation concerning hazardous materials made in Article 8A, Section 3b5 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 55. The sum of \$1,052,636, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation concerning hazardous materials made in Article 8, Section 4c of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 60. The sum of \$3,690,818, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made for Formal Contracts in the line item, "For Maintenance, Traffic and Physical Research Purposes (A)" for the Central Offices, Division of Highways, in Article 8A, Section 3b6 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 65. The sum of \$17,200,122, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation made for Formal Contracts in the line item, "For Maintenance, Traffic and Physical Research Purposes (A)" for the Central Offices, Division of Highways, in Article 8, Section 4c of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 70. The sum of \$2,180,502, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation concerning Highway Damage Claims heretofore made in Article 8A, Section 3b7 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 75. The sum of \$4,223,524, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation concerning Highway Damage Claims heretofore made in Article 8, Section 4c of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 80. The sum of \$7,477,399, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made for township bridges in Article 8A, Section 5a of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 85. The sum of \$11,602,694, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation heretofore made for township bridges in Article 8, Section 16 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 90. The sum of \$43,302,500, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 5b4 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 95. The sum of \$131,430,678, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 5b3 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 100. The sum of \$123,163,576, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 5b2 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 105. The sum of \$93,678,309, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A Section 5b6 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 110. The sum of \$19,218,795, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A Section 5b5 of Public Act 93-91, as amended, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 115. The following named sums, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriations heretofore made in Article 8A, Section 5b1 of Public Act 93-91, as amended, are reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of State highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the "Illinois Highway Code"; for purposes allowed or required by Title 23 of the U.S. Code, for bikeways as provided by Public Act 78-850; and for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program; such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations as follows:

District 1, Schaumburg	325,485,021
District 2, Dixon	8,689,602
District 3, Ottawa	7,772,033
District 4, Peoria	10,000,314
District 5, Paris	10,467,167
District 6, Springfield	10,291,113
District 7, Effingham	28,299,332
District 8, Collinsville	39,194,105
District 9, Carbondale	6,893,241
Statewide	<u>39,508,756</u>
Total	\$486,600,684

Section 120. The following named sums, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriations heretofore made in Article 8, Section 16b of Public Act 93-91, as amended, are reappropriated from the Road Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of State highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the "Illinois Highway Code"; for purposes allowed or required by Title 23 of the U.S. Code, for bikeways as provided by Public Act 78-850; and for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program; such as scales (fixed and portable), scale pits and scale installations and scale houses, in accordance with applicable laws and regulations as follows:

District 1, Schaumburg	251,604,260
District 2, Dixon	16,112,128

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District 3, Ottawa	14,794,889
District 4, Peoria	9,151,544
District 5, Paris	9,769,805
District 6, Springfield	18,362,064
District 7, Effingham	6,994,491
District 8, Collinsville	11,939,179
District 9, Carbondale	9,673,387
Statewide	<u>31,618,019</u>
Total	\$380,019,766

Section 125. The sum of \$963,018, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8B, Section 34 of Public Act 93-664, is reappropriated from the Road Fund to the Department of Transportation for the same purposes.

Section 130. The sum of \$46,263,998, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made for grade crossing protection or grade separation in Article 8A, Section 5b18 of Public Act 93-91, as amended, is reappropriated from the Grade Crossing Protection Fund to the Department of Transportation for the same purpose.

Section 135. The sum of \$25,879,731, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation heretofore made for grade crossing protection or grade separation in Article 8, Section 17 of Public Act 93-91, as amended, is reappropriated from the Grade Crossing Protection Fund to the Department of Transportation for the same purpose.

Section 140. The sum of \$152,968,049, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 6a of Public Act 93-91, as amended, is reappropriated from the Federal/Local Airport Fund to the Department of Transportation for the same purposes.

Section 145. The sum of \$71,763,100, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation heretofore made in Article 8, Section 18b of Public Act 93-91, as amended, is reappropriated from the Federal/Local Airport Fund to the Department of Transportation for the same purposes.

Section 150. The sum of \$155,802 or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A Section 5b7 of Public Act 93-91, as amended, is reappropriated from the Capital Development Fund to the Department of Transportation for use as matching funds for the Illinois Transportation Enhancement program for the Historic Preservation Agency.

Section 155. The sum of \$27,151, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 5b8 of Public Act 93-91, as amended, is reappropriated from the Capital Development Fund to the Department of Transportation for use as matching funds for the Illinois Transportation Enhancement program for the Department of Natural Resources.

Section 160. The sum of \$12,549,710, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 9a1 of Public Act 93-91, as amended, is reappropriated from the State Rail Freight Loan Repayment Fund to the Department of Transportation for the same purposes.

Section 165. The sum of \$3,341,000 or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation heretofore made in Article 8, Section 20a2 of Public Act 93-91, as amended, is reappropriated from the State Rail Freight Loan Repayment Fund to the Department of Transportation for the same purposes.

Section 170. The sum of \$8,306,882, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 9a5 of Public Act 93-91, as amended, is reappropriated from the Federal High Speed Rail Trust Fund to the Department of Transportation for the federal share of the High Speed Rail Project.

Section 175. The sum of \$4,512,375, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation heretofore made in Article 8, Section 20a5 of Public Act 93-91, as amended, is reappropriated from the Federal High Speed Rail Trust Fund to the Department of Transportation for the federal share of the High Speed Rail Project.

Section 180. The sum of \$8,869,810, or so much thereof as may be necessary and remains unexpended, less \$3,075,800 to be lapsed from the unexpended balance, at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 5b17 of Public Act 93-91, for statewide purposes, is reappropriated from the Transportation Bond Series A Fund to the Department of Transportation for the same purposes.

Section 185. The sum of \$68,957,348, or so much thereof as may be necessary and remains unexpended, less \$29,989,300 to be lapsed from the unexpended balance, at the close of business on June 30, 2003, from the reappropriation heretofore made in Article 8A, Section 5b16 of Public Act 93-91, for statewide purposes, is reappropriated from the Transportation Bond Series A Fund to the Department of Transportation for the same purposes.

Section 190. The sum of \$265,866,720, or so much thereof as may be necessary and remains unexpended, less \$66,551,500 to be lapsed from the unexpended balance, at the close of business on June 30, 2003, from the reappropriation heretofore made in Article 8A, Section 5b15 of Public Act 93-91, for statewide purposes, is reappropriated from the Transportation Bond Series A Fund to the Department of Transportation for the same purposes.

Section 195. The sum of \$86,309,700, or so much thereof as may be necessary, for statewide purposes, is appropriated from the Road Fund to the Department of Transportation for highway construction expenditures on projects consistent with the purposes of the Road Fund.

Section 200. The sum of \$13,306,900, or so much thereof as may be necessary, for statewide purposes, is appropriated from the State Construction Account Fund to the Department of Transportation for highway construction expenditures on projects consistent with the purposes of the State Construction Account Fund.

Section 205. The sum of \$446,345,407, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation heretofore made in Article 8, Section 16b2 of Public Act 93-91, as amended, for statewide purposes, is reappropriated from the Transportation Bond Series A Fund to the Department of Transportation for the same purposes.

Section 210. The sum of \$100,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation heretofore made in Article 3, Section 1 of Public Act 93-587, as amended, for statewide purposes, is reappropriated from the Transportation Bond Series A Fund to the Department of Transportation for the same purposes.

Section 215. The sum of \$34,008,567, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation concerning airport improvements heretofore made in Article 8A, Section 6a1 of Public Act 93-91, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for the same purposes.

Section 220. The sum of \$16,032,300, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation concerning airport improvements heretofore made in Article 8, Section 18b1 of Public Act 93-91, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for the same purposes.

Section 225. The sum of \$27,885,567, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 6b of Public Act 93-91, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for the same purposes.

Section 230. The sum of \$5,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation heretofore made in Article 8, Section 18b1a of Public Act 93-91, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for the same purposes.

Section 235. The following named sums, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriations heretofore made in Article 8A, Section 8b of Public Act 93-91, as amended, are reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for the same purposes as follows:

Pursuant to Section 4(b)(1) of
the General Obligation Bond Act,
as amended.

176,194,451

For the counties of the State

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outside the counties of Cook,

DuPage, Kane, McHenry, and Will,
pursuant to Section 4(b)(1)
of the General Obligation Bond
Act, as amended

19,664,879

For the Department of Transportation's
Greenlight Program pursuant to
Section 4(b)(1) of the General
Obligation Bond Act, as amended
To extend the metrolink rail line
to Mid-America Airport

52,033,678

5,000,002

Total

\$252,893,010

Section 240. The following named sums, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriations heretofore made in Article 8, Section 19b2 of Public Act 93-91, as amended, are reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for the same purposes as follows:

Pursuant to Section 4(b)(1) of
the General Obligation Bond Act,
as amended.

76,000,000

For the counties of the State
outside the counties of Cook,

DuPage, Kane, McHenry, and Will,
pursuant to Section 4(b)(1)
of the General Obligation Bond
Act, as amended

5,000,000

For the Department of Transportation's
Greenlight Program pursuant to
Section 4(b)(1) of the General
Obligation Bond Act, as amended

15,000,000

Total

\$96,000,000

Section 245. The sum of \$4,963,616, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 8b2 of Public Act 93-91, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for the same purposes.

Section 250. The following named sums, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriations heretofore made in Article 8A Section 8b1 of Public Act 93-91, as amended, are reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for the same purposes as follows:

Pursuant to Section 4(b)(1) of the General
Obligation Bond Act, as amended

3,007,142

For the counties of Cook, DuPage,
Kane, Lake, McHenry and Will,
pursuant to Section 4(b)(2) of
the General Obligation Bond Act,
as amended

3,072,263

For the counties of the State
outside the counties of Cook,
DuPage, Kane, Lake, McHenry and
Will, pursuant to Section
4(b)(3) of the General Obligation
Bond Act, as amended

871,759

Total

\$6,951,164

Section 255. The sum of \$26,358,536, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 9a7 of Public Act 93-91, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for the same purposes.

Section 260. The sum of \$20,000,000, or so much thereof as may be necessary, and

remains unexpended at the close of business on June 30, 2004, from the appropriation heretofore made in Article 8, Section 20a6 of Public Act 93-91, as amended, is reappropriated from the Transportation Bond Series B Fund to the Department of Transportation for the same purposes.

Section 265. The sum of \$47,367,738, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 8b4 of Public Act 93-91, as amended, is reappropriated from the Federal Mass Transit Trust Fund to the Department of Transportation for the federal share of capital, operating, consultant services, and technical assistance grants, as well as state administration and interagency agreements, provided such amounts shall not exceed funds to be made available from the Federal Government.

Section 270. The sum of \$15,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation heretofore made in Article 8, Section 19b8 of Public Act 93-91, as amended, is reappropriated from the Federal Mass Transit Trust Fund to the Department of Transportation for the federal share of capital, operating, consultant services, and technical assistance grants, as well as state administration and interagency agreements, provided such amounts shall not exceed funds to be made available from the Federal Government.

Section 275. The sum of \$168,585,848, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriations heretofore made in Article 8, Section 16b1 of Public Act 93-91, as amended, for Engineering and Consultant Contracts only, is reappropriated from the State Construction Fund to the Department of Transportation for the same purposes.

Section 280. The sum of \$5,729,119, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 5b12 of Public Act 93-91, as amended, is reappropriated from the State Construction Account Fund to the Department of Transportation for the same purposes.

Section 285. The sum of \$25,595,890, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 5b11 of Public Act 93-91, as amended, is reappropriated from the State Construction Account Fund to the Department of Transportation for the same purposes.

Section 290. The sum of \$56,070,088, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 5b10 of Public Act 93-91, as amended, is reappropriated from the State Construction Account Fund to the Department of Transportation for the same purposes.

Section 295. The following named sums, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriations heretofore made in Article 8A, Section 5b9 of Public Act 93-91, as amended, are reappropriated from the State Construction Account Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the "Illinois Highway Code"; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-0850; and for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations, and scale houses, in accordance with applicable laws and regulations as follows:

District 1, Schaumburg	45,851,186
District 2, Dixon	5,330,733
District 3, Ottawa	1,023,558
District 4, Peoria	2,706,282
District 5, Paris	868,053
District 6, Springfield	1,180,665
District 7, Effingham	5,204,326
District 8, Collinsville	9,776,972
District 9, Carbondale	454,584
Statewide	<u>14,834,129</u>
Total	\$87,230,488

Section 300. The sum of \$13,037,344, or so much thereof as may be necessary, and

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remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 5b14 of Public Act 93-91, as amended, is reappropriated from the State Construction Account Fund to the Department of Transportation for the same purposes.

Section 305. The sum of \$5,166,906, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation heretofore made in Article 8A, Section 5b13 of Public Act 93-91, as amended, is reappropriated from the State Construction Account Fund to the Department of Transportation for the same purposes.

Section 310. The following named sums, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriations heretofore made in Article 8, Section 16b1 of Public Act 93-91, as amended, are reappropriated from the State Construction Account Fund to the Department of Transportation for preliminary engineering and construction engineering and contract costs of construction, including reconstruction, extension and improvement of state highways, arterial highways, roads, access areas, roadside shelters, rest areas, fringe parking facilities and sanitary facilities, and such other purposes as provided by the "Illinois Highway Code"; for purposes allowed or required by Title 23 of the U.S. Code; for bikeways as provided by Public Act 78-0850; and for land acquisition and signboard removal and control, junkyard removal and control and preservation of natural beauty; and for capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits and scale installations, and scale houses, in accordance with applicable laws and regulations as follows:

District 1, Schaumburg	78,634,172
District 2, Dixon	60,912,248
District 3, Ottawa	41,716,704
District 4, Peoria	17,358,566
District 5, Paris	32,907,416
District 6, Springfield	53,726,128
District 7, Effingham	24,951,580
District 8, Collinsville	46,558,929
District 9, Carbondale	31,105,562
Statewide	<u>95,906,896</u>
Total	\$483,778,201

Section 315. The sum of \$3,389,212, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the reappropriation concerning the federal share of the Rail Freight Loan Repayment Program heretofore made in Article 8A, Section 9a2 of Public Act 93-91, as amended, is reappropriated from the Rail Freight Loan Repayment Fund to the Department of Transportation for the same purposes.

Section 320. The sum of \$1,100,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from the appropriation concerning the federal share of the Rail Freight Loan Repayment Program heretofore made in Article 8, Section 20a3 of Public Act 93-91, as amended, is reappropriated from the Rail Freight Loan Repayment Fund to the Department of Transportation for the same purposes.

Section 325. No contract shall be entered into or obligation incurred or any expenditure made from a reappropriation herein made in:

Section 5	Permanent Improvements
Section 10	Permanent Improvements
Section 15	Rail Relocation – Federal
Section 20	Rail Relocation - State
Section 150	CDB - Enhancement
Section 155	CDB - Enhancement
Section 160	State Rail Freight Loan Repayment
Section 165	State Rail Freight Loan Repayment
Section 170	FHSRTF High Speed Rail - Federal
Section 175	FHSRTF High Speed Rail - Federal
Section 180	Series A - (Road Program)
Section 185	Series A - (Road Program)
Section 190	Series A - (Road Program)
Section 205	Series A - (Road Program)
Section 210	Series A - (Road Program)
Section 215	Series B - (Aeronautics)

Section 220	Series B - (Aeronautics)	
Section 225	Series B (Land Acquisition 3rd Airport)	
Section 230	Series B (Land Acquisition 3rd Airport)	
Section 235	Series B (Transit)	
Section 240	Series B (Transit)	
Section 245	Series B (Transit)	
Section 250	Series B (Transit)	
Section 255	Series B (Rail)	
Section 260	Series B (Rail)	
Section 315	Federal Rail Freight Loan Repayment	
Section 320	Federal Rail Freight Loan Repayment	
of this Article until after the purpose and the amount of such expenditure has been approved in writing by the Governor.		
Total, Article 98		\$4,139,796,837

ARTICLE 99

CAPITAL DEVELOPMENT BOARD

Section 5. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made for such purposes in Article 1, Section 1, and Article 2, Section 1 of Public Act 93-587, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Agriculture for the projects hereinafter enumerated:

ILLINOIS STATE FAIRGROUNDS - DUQUOIN

(From Article 1, Section 1 of Public Act 93-587)		
For completing the upgrade of the electrical distribution system, in addition to funds previously appropriated		1,650,000
(From Article 2, Section 1 of Public Act 93-587)		
For upgrading electrical systems, in addition to funds previously appropriated		964,127
For upgrading the telecommunications system		400,000
For upgrading the HVAC system		1,540,475
For replacing horse barn roofs		16,604
For upgrading electrical utilities, in addition to funds previously appropriated		30,950
For constructing a multi-purpose building		2,045,059

ILLINOIS STATE FAIRGROUNDS - SPRINGFIELD

(From Article 2, Section 1 of Public Act 93-587)		
For completing the Emerson Building renovation, in addition to funds previously appropriated		977,309
For renovating comfort stations, in addition to funds previously appropriated		1,037,194
For upgrading the electrical system		38,439
For renovating the grandstand area		1,054,710
For renovating or replacing racehorse barns - Phase IV		102,095
For renovating the Emmerson Building		93,813
For renovating or replacing #26 Barn		133,169
For renovating the Junior Home Economics Building		69,202
For installing HVAC system and restrooms in the Orr Building		<u>228,211</u>
Total		\$10,381,357

Section 10. The following named amount, or so much thereof as may be necessary and

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remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made for such purposes in Article 2, Section 1a of Public Act 93-587, as amended, is reappropriated from the Tobacco Settlement Recovery Fund to the Capital Development Board for the Department of Agriculture for the project hereinafter enumerated:

ILLINOIS STATE FAIRGROUNDS - SPRINGFIELD

(From Article 2, Section 1a of Public Act 93-587)

For upgrading the chemistry/seed
laboratory systems 46,156

Section 15. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 5, Division FY02, Section 14 of Public Act 93-587, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of Agriculture for the projects hereinafter enumerated:

ILLINOIS STATE FAIRGROUNDS - DU QUOIN

For installing a shell over the show
horse arena and improving the interior 733,109
For renovating the Hayes House, in addition
to funds previously appropriated 271,593

ILLINOIS STATE FAIRGROUNDS - SPRINGFIELD

For upgrading sewers, drainage and water
distribution systems, in addition to
funds previously appropriated 20,785
For replacing and upgrading roofs, in addition
to funds previously appropriated 758,209
Total \$1,783,696

Section 20. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made for such purposes in Article 2, Section 2 of Public Act 93-587, as amended, are reappropriated from the Capital Development Fund to the Capital Development Board for the Courts of Illinois for the projects hereinafter enumerated:

MT. VERNON APPELLATE COURT BUILDING

(From Article 2, Section 2 of Public Act 93-587)
For expanding the courthouse 90,860
For expanding the courthouse, in
addition to funds previously
appropriated 238,320

SPRINGFIELD - SUPREME COURT BUILDING

For replacing the roofing system, in addition
to funds previously appropriated 19,090
For replacing the roof 23,575
For renovating the HVAC system on
the 3rd Floor 140,000
For installing humidifier and water
filtration systems 1,570,950

APPELLATE COURT SECOND DISTRICT - ELGIN

For miscellaneous improvements 297,432
Total \$2,380,227

Section 25. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made in Article 2, Section 2a of Public Act 93-587, are reappropriated from the Tobacco Settlement Recovery Fund to the Capital Development Board for the Courts of Illinois for the projects hereinafter enumerated:

APPELLATE COURT THIRD DISTRICT - OTTAWA

For tuckpointing, repairing the exterior
and replacing the roof, in addition to
funds previously appropriated 144,476

Section 30. The following named amount, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from reappropriations heretofore made in Article 5, Division FY01, Section 20 of Public Act 93-587, is reappropriated from the

Build Illinois Bond Fund to the Capital Development Board for the Courts of Illinois for the projects hereinafter enumerated:

SUPREME COURT BUILDING - SPRINGFIELD

For renovating the Library and completing HVAC, in addition to funds previously appropriated 235,000

Section 35. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made for such purposes in Article 1, Sections 18 and 19 of Public Act 93-587, as amended, are reappropriated from the Capital Development Fund to the Capital Development Board for the Office of the Architect of the Capitol for the projects hereinafter enumerated:

CAPITOL BUILDING - SPRINGFIELD

(From Article 1, Section 18 of Public Act 93-587)

For equipment, remodeling and all other costs related to the maintenance, renovation or restoration of areas located in the Capitol Building 2,500,000

(From Article 1, Section 19 of Public Act 93-587)

For all costs related to asbestos and environmental abatement in the Capitol Building 7,500,000
Total \$10,000,000

Section 40. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made in Article 1, Sections 9, 17 and 20, and Article 2, Section 3 of Public Act 93-587, are reappropriated from the Capital Development Fund to the Capital Development Board for the Office of the Secretary of State for the projects hereinafter enumerated:

CAPITOL BUILDING - SPRINGFIELD

(From Article 1, Section 17 of Public Act 93-587)

For planning and design, providing a study, historical analysis, asbestos abatement and all other costs associated with the upgrade of the HVAC system in the Capitol building 2,650,000

(From Article 1, Section 20 of Public Act 93-587)

For all costs related to the planning and design of life safety and fire protection system improvements, hazardous material abatement, historical restoration and construction in the Capitol Building 1,000,000

(From Article 2, Section 3 of Public Act 93-587)

For upgrading the HVAC systems, in addition to funds previously appropriated 3,043,966

CAPITOL COMPLEX - SPRINGFIELD

For completing the stone restoration, in addition to funds previously appropriated 1,520,119

For renovating the exterior of the Capitol and Howlett Buildings 31,784

For demolition of 222 S. College, and landscaping of Capitol Complex in addition to funds previously appropriated 1,200,000

For demolition of 222 South College Building and landscaping of Capitol Complex 2,387,894

DRIVER'S FACILITY WEST - CHICAGO

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For renovating the building	855,000
MOTOR VEHICLE SERVICES FACILITY - SPRINGFIELD	
(From Article 1, Section 9 of Public Act 93-587)	
For upgrading the fire alarm and security systems	430,000
STATE POWER PLANT - SPRINGFIELD	
(From Article 2, Section 3 of Public Act 93-587)	
For installing new water service and repairing power plant systems	72,377
WILLIAM G. STRATTON BUILDING - SPRINGFIELD	
For the planning, design, reconstruction, and construction to renovate or replace the Stratton Office Building, in addition to funds previously appropriated	<u>11,582,631</u>
Total	<u>\$24,773,771</u>
Section 45. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from reappropriations heretofore made in Article 5, Division FY02, Section 24 and Division FY01, Section 21 of Public Act 93-587, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Office of the Secretary of State for the projects hereinafter enumerated:	
CAPITOL COMPLEX – SPRINGFIELD	
(From Article 5, Division FY02, Section 24 of Public Act 93-587)	
For upgrading fire alarm systems in two buildings	150,642
(From Article 5, Division FY01, Section 21 of Public Act 93-587)	
For expanding the shipping and receiving dock	<u>227,746</u>
Total	<u>\$378,388</u>
Section 50. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made for such purposes in Article 1, Section 3 and Article 2, Section 4 of Public Act 93-587, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Central Management Services for the projects hereinafter enumerated:	
STATEWIDE	
(From Article 1, Section 3 of Public Act 93-587)	
For upgrading the building security system at the James R. Thompson Center and the State of Illinois building in addition to funds previously appropriated	655,000
(From Article 2, Section 4 of Public Act 93-587)	
For replacing roofing systems at the following locations at the approximate costs set forth below	175,358
Effingham State Garage	190,000
OFFICE AND LAB BUILDING, CHICAGO MEDICAL CENTER	
For planning and beginning the renovation of the facility	1,624,703
DIXON STATE GARAGE - LEE COUNTY	
For upgrading the lighting and replacing the roof	240,981
JAMES R. THOMPSON CENTER - CHICAGO	
(From Article 1, Section 3 of Public Act 93-587)	
For installing an emergency generator	3,545,000
(From Article 2, Section 4 of Public Act 93-587)	
For rehabilitating exterior columns, in addition to funds previously appropriated	1,000,000
For upgrading mechanical systems, in	

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addition to funds previously appropriated	834,994
For upgrading mechanical systems	29,708
MEDICAL CENTER (DCFS DISTRICT OFFICE) - CHICAGO	
For replacing roof and upgrading mechanical and electrical systems	336,425
PARIS STATE GARAGE	
For replacing the roof and improving the exterior	62,001
ROCKFORD REGIONAL OFFICE BUILDING	
(From Article 1, Section 3 of Public Act 93-587)	
For replacing Halon and upgrading the air conditioning	450,000
ILLINOIS CENTER FOR REHABILITATION AND EDUCATION ROOSEVELT ROAD - CHICAGO	
(From Article 2, Section 4 of Public Act 93-587)	
For upgrading electrical systems	436,295
For upgrading the HVAC system	98,237
ILLINOIS CENTER FOR REHABILITATION AND EDUCATION (WOOD) - CHICAGO	
For upgrading fire and safety systems	118,253
SPRINGFIELD - RESEARCH AND COLLECTION CENTER	
For expanding surplus warehouse	772,082
SPRINGFIELD STATE GARAGE	
For renovating the interior of the central garage	120,410
SPRINGFIELD - COMPUTER FACILITY	
(From Article 2, Section 4 of Public Act 93-587)	
For upgrading the computer room and the electrical system	1,130,929
For installing a cooling tower and fire alarm system and various other improvements	162,911
For replacement of the halon fire suppression system	18,598
STATE OF ILLINOIS BUILDING - CHICAGO	
For restoring exterior and rebuilding foundation	728,590
SUBURBAN NORTH REGIONAL OFFICE BUILDING - DES PLAINES	
For planning and beginning rehabilitation of the exterior and upgrading the atrium	43,499
For renovating offices for Environmental Protection Agency, in addition to funds previously appropriated	175,498
For renovation of Suburban North Regional Office Building (formerly Maine Township North High School building), in addition to funds previously appropriated for such purpose, Phase III	<u>67,470</u>
Total	\$12,826,942
Section 55. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations heretofore made for such purposes in Article 2, Section 4a of Public Act 93-587, are reappropriated from the Tobacco Settlement Recovery Fund to the Capital Development Board for the Department of Central Management Services for the projects hereinafter enumerated:	
CHICAGO-READ - MEMORIAL CEMETERY	
(From Article 2, Section 4a of Public Act 93-587)	
For upgrading site	19,564
ILLINOIS CENTER FOR REHABILITATION AND EDUCATION	

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(ROOSEVELT ROAD) - CHICAGO

For tuckpointing exterior	809,945
For upgrading lighting & paging systems	125,000
For constructing a parking lot	<u>132,600</u>
Total	\$1,087,109

Section 60. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 5, Division FY03, Section 8, Division FY02, Section 15 and Division FY01, Section 10 of Public Act 93-587, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of Central Management Services for the projects hereinafter enumerated:

STATEWIDE

(From Article 5, Division FY03, Section 8 of Public Act 93-587)

Telecommunications Building - Springfield	
Roof Replacement	283,693

ILLINOIS CENTER FOR REHABILITATION AND EDUCATION

(ROOSEVELT) - CHICAGO

(From Article 5, Division FY02, Section 15 of Public Act 93-587)

For replacing the roofing system	282,522
For upgrading the kitchen and plumbing	248,489

CHAMPAIGN REGIONAL OFFICE BUILDING

For upgrading the HVAC system	16,289
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JAMES R. THOMPSON CENTER - CHICAGO

(From Article 5, Division FY01, Section 10 of Public Act 93-587)

For rehabilitating exterior columns, in addition to funds previously appropriated	48,157
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SPRINGFIELD REGIONAL OFFICE BUILDING

For rehabilitating the HVAC system	<u>7,393</u>
Total	\$886,543

Section 65. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made for such purposes in Article 1, Section 7, and Article 2, Section 5 of Public Act 93-587, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Natural Resources for the projects hereinafter enumerated:

ARGYLE LAKE STATE PARK - MCDONOUGH COUNTY

(From Article 1, Section 7 of Public Act 93-587)

For upgrading the sewage treatment system	275,000
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BABE WOODYARD STATE NATURAL AREA -
VERMILION COUNTY

(From Article 2, Section 5 of Public Act 93-587)

For developing the site and associated land acquisition	2,610,485
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BEAVER DAM STATE PARK - MACOUPIN COUNTY

For replacing the sewage system	628,814
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CARLYLE LAKE STATE PARKS

For cabin construction and site improvements at Eldon Hazlet State Park, Phase II	165,910
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For road and site improvements at Carlyle Lake	1,477,424
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For infrastructure and site improvements at Carlyle Lake	863,871
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CASTLE ROCK STATE PARK - OGLE COUNTY

For rehabilitating the scenic overlook and water system	1,045,188
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CHAIN O' LAKES STATE PARK - MCHENRY COUNTY

For upgrading sewage treatment system	41,491
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EAGLE CREEK STATE PARK - SHELBY COUNTY

For constructing lake access boat docks at resort	356,503
ELDON HAZLET STATE PARK - CLINTON COUNTY	
For replacing the main waterline	13,354
FERNE CLYFFE STATE PARK - JOHNSON COUNTY	
(From Article 1, Section 7 of Public Act 93-587)	
For replacing the campground sewage treatment system	400,000
FORT MASSAC STATE PARK - MASSAC COUNTY	
(From Article 2, Section 5 of Public Act 93-587)	
For reconstructing the fort	81,514
FOX RIDGE STATE PARK - COLES COUNTY	
For replacing spillway	160,000
GOOSE LAKE PRAIRIE NATURAL AREA - GRUNDY COUNTY	
For replacing floating boardwalk	485,000
HENNEPIN CANAL PARKWAY STATE PARK AND ACCESS AREA	
For rehabilitating/repairing railroad bridges, in addition to funds previously appropriated	859,185
For rehabilitating aqueducts #3, #4 and #8	374,411
HORSESHOE LAKE CONSERVATION AREA - ALEXANDER COUNTY	
For dam rehabilitation and the State's share to implement the ecological restoration plan in cooperation with the U.S. Army Corps of Engineers, and land acquisition	842,605
I & M Canal - CHANNAHON STATE PARK - WILL COUNTY	
For improving DuPage River Spillway	110,000
ILLINOIS BEACH STATE PARK - LAKE COUNTY	
For replacing sanitary sewer line	79,748
For replacing sanitary sewer lines	362,372
KANKAKEE RIVER STATE PARK - KANKAKEE/WILL COUNTIES	
For constructing sanitary sewer system, in addition to funds previously appropriated	5,000,000
For planning and constructing a sanitary sewer system	32,923
KICKAPOO STATE PARK - VERMILION COUNTY	
For replacing stairway to Long Pond	217,450
For rehabilitating the water system and day-use areas	181,796
LAKE LE-AQUA-NA STATE PARK - STEPHENSON COUNTY	
For replacing sewage treatment plant	158,077
LAKE MURPHYSBORO STATE PARK - JACKSON COUNTY	
For replacing the district office building	97,310
LINCOLN TRAIL STATE RECREATION AREA - CLARK COUNTY	
For renovating the concession building	40,010
For upgrading campground electrical and drainage	143,087
MASON STATE FOREST TREE NURSERY	
For expanding the cold storage facility	33,004
For expanding the seed cleaning facility	210,659
MORAIN HILLS STATE PARK - MCHENRY COUNTY	
For replacement of restrooms and upgrading the water system	82,922
MORAIN VIEW STATE PARK - MCLEAN COUNTY	
For upgrading the water plant	165,475

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MORRISON-ROCKWOOD STATE PARK	
For improving the water system and rehabilitating the campground water	59,276
NORTH POINT MARINA - LAKE COUNTY	
For construction of a breakwater structure	1,012,492
RED HILLS STATE PARK - LAWRENCE COUNTY	
For miscellaneous improvements	824,760
RESEARCH & COLLECTIONS CENTER - SPRINGFIELD	
For renovating the interior	239,668
ROCK CUT STATE PARK - WINNEBAGO COUNTY	
For upgrading the sewage system	1,936,593
NEW OFFICE BUILDING - SPRINGFIELD	
For completing construction of an office building, in addition to funds previously appropriated	65,000
SAM PARR STATE PARK - JASPER COUNTY	
For renovating recreational facilities	1,915,000
SILOAM SPRINGS STATE PARK - ADAMS COUNTY	
For rehabilitating office/service area 1,200,000	
SNAKEDEN HOLLOW FISH AND WILDLIFE AREA - KNOX COUNTY	
For rehabilitating the Spillway, in addition to funds previously appropriated	50,391
SPRING GROVE FISHERIES CENTER - MCHENRY COUNTY	
For planning and beginning renovation of hatchery	144,480
SPRINGFIELD	
For constructing an office building and interpretive center	425,203
SPRING LAKE CONSERVATION AREA - TAZEWELL COUNTY	
For stabilizing levee and shoreline	410,806
STARVED ROCK STATE PARK - LASALLE COUNTY	
For construction of a visitors center, in addition to funds previously appropriated	24,820
For rehabilitating the sewer system	36,399
STARVED ROCK STATE PARK AND LODGE - LASALLE COUNTY	
For upgrading water and sewer systems	600,000
WASTE MANAGEMENT & RESEARCH CENTER	
For constructing a garage and storage area	368,284
WELDON SPRINGS STATE PARK - DE WITT COUNTY	
For upgrading residence utilities	40,000
WHITE PINES FOREST STATE PARK - OGLE COUNTY	
(From Article 1, Section 7 of Public Act 93-587)	
For completing the replacement of the sewer system, in addition to funds previously appropriated	665,000
(From Article 2, Section 5 of Public Act 93-587)	
For planning and beginning sewer system replacement	57,278
For planning and beginning lodge and cabin restoration	49,021
WILDLIFE PRAIRIE PARK	
(From Article 1, Section 7 of Public Act 93-587)	
For rehabilitating the sewage treatment plant	780,000
(From Article 2, Section 5 of Public Act 93-587)	

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For planning and beginning the upgrade of the park	137,296
WILLIAM W. POWERS FISH AND WILDLIFE AREA – COOK COUNTY	
For replacing sanitary sewer lines and lift station	481,155
TUNNEL HILL-CACHE RIVER STATE NATURAL AREA	
For constructing a visitor center and purchasing land	367,593
STATE MUSEUM - SPRINGFIELD	
Plan, begin construction of Illinois State Museum	3,573,090
For renovating or replacing exhibits, in addition to funds previously appropriated	414,340
For planning and replacement of the main museum exhibits, in addition to funds previously appropriated	20,822
STATEWIDE	
(From Article 1, Section 7 of Public Act 93-587)	
For replacing/repairing the roofing systems at the following locations at the approximate cost set forth below	245,000
Clinton Lake Recreational Area - DeWitt County	65,000
Ferne Clyffe State Park- Johnson County	20,000
Hennepin Canal Parkway State Park	26,000
Lake Le-Aqua-Na State Park- Stephenson County	39,000
Mermet Lake Conservation Area- Massac County	95,000
(From Article 2, Section 5 of Public Act 93-587)	
For replacing/repairing the roofing systems at the following locations at the approximate costs set forth below	240,000
Jubilee College State Park-Peoria County	45,000
Starved Rock State Park & Lodge-LaSalle County	60,000
Kaskaskia River Fish & Wildlife Area-Randolph County	25,000
Pyramid State Park- Perry County	55,000
Region V Office (Benton) Franklin County	55,000
For rehabilitating dams and bridges	925,644
For constructing, replacing and renovating lodges and concession buildings	6,076,457
For replacing roofs at the following locations, at the approximate cost set forth below	168,860
Shabbona Lake State Park 42,215	
Hennepin Canal Parkway State Park	42,215
Randolph Fish & Wildlife Area	42,215
Dixon Springs State Park 42,215	

For replacing and constructing vault toilets at the following locations, at the approximate cost set forth below	904,567
Wayne Fitzgerald State Park	225,799
Hennepin Canal Parkway State Trail	570,843
Kaskaskia River Fish & Wildlife Area	107,925
For rehabilitating bridges at the following locations, at the approximate cost set forth below	257,944
Frank Holten State Park	257,944
For rehabilitating dams at the following locations, at the approximate cost set forth below	663,641
Rock Cut State Park	450,000
Snakeden Hollow State Park	213,641
For replacing roofs at the following locations, at the approximate cost set forth below	243,211
Southern IL Arts & Crafts Center	40,000
Frank Holten State Park	30,000
DNR Geological Survey- Champaign	9,364
Sangchris Lake State Park	5,000
Illini State Park	1,692
Shelbyville Fish & Wildlife Area	45,000
Trail of Tears State Forest	8,921
Sanganois Conservation Area	5,291
Rice Lake State Park	28,090
Hidden Spring State Park	43,613
Siloam Springs State Park	2,417
Mississippi Palisades State Park	23,823
For replacing roofing systems at the following locations, at the approximate cost set forth below	325,528
Beall Woods Conservation Area - Wabash County	2,500
Eldon Hazlet State Park - Clinton County	2,475
Fox Ridge State Park - Coles County	21,532
Giant City State Park - Jackson/Union Counties	1
Goose Lake Prairie State Park - Grundy County	9,450
Hennepin Canal Parkway State Trail Illinois Beach State Park - Lake County	146,682
Illinois Caverns Natural Area - Monroe County	21,000
Kankakee River State Park - Kankakee/Will Counties	38,647

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Moraine Hills State Park - McHenry County	23,387
Moraine View State Park - McLean County	3,601
Ramsey Lake State Park - Fayette County	1,000
Randolph County Conservation Area	160
Stephen A. Forbes State Park - Marion County	6,857
Ten Mile Creek State Fish & Wildlife Area - Jefferson/ Hamilton Counties	63
Union County Conservation Area	23
Washington County Conservation Area	3,453
William W. Powers Conservation Area - Cook County	2,394
Wolf Creek State Park - Shelby County	1,000
For replacing vault toilets at the following locations, at the approximate cost set forth below	440,666
Anderson Lake Conservation Area - Fulton/Schuyler Counties	150,919
Giant City State Park - Jackson/Union Counties	177,162
Randolph County Conservation Area	100,370
Silver Springs State Park - Kendall County	12,215
For constructing vault toilets at the following locations at the approximate costs set forth below	106,610
Cave-In-Rock State Park	50,000
Golconda/Rauchfuss Hill	10,000
Prophetstown State Park	40,000
William W. Powers State Park	6,610
For constructing hazardous material storage buildings	15,514
For constructing vault toilets at the following locations at the approximate cost set forth below:	137,897
Apple River Canyon State Park	19,699
Des Plaines Conservation Area	19,700
Kankakee River State Park	19,700
Lake Le-Aqua-Na State Park	19,699
Marshall County Conservation Area	19,700
Morrison-Rockwood State Park	19,699
Rice Lake Conservation Area	19,700
For land acquisition	274,539
For planning, construction, reconstruction, land acquisition and related costs, utilities, site improvements, and all other expenses necessary for various capital improvements at parks, conservation areas, and other facilities under the jurisdiction of the Department of Natural Resources	<u>1,423,927</u>
Total	\$45,944,360

Section 70. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations heretofore made for such purposes in Article 2, Section 5a of Public Act 93-587, are reappropriated from the

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Tobacco Settlement Recovery Fund to the Capital Development Board for the Department of Natural Resources for the projects hereinafter enumerated:

STATEWIDE PROGRAM

(From Article 2, Section 5a of Public Act 93-587)

For maintaining lodge and concession facilities	74,567
For maintaining lodge and concession facilities	20,018
For rehabilitating or replacing playground equipment	190,796
For land acquisition relocation costs	100,000
ILLINOIS BEACH STATE PARK - LAKE COUNTY	
For stabilizing the shoreline	390,055
KASKASKIA RIVER FISH & WILDLIFE AREA - RANDOLPH COUNTY	
For providing boat access safety improvements	180,158
PRAIRIE RIDGE SANCTUARY NATURAL AREA	
For upgrading electrical and providing insulation	99,274
REAVIS SPRING HILL PRAIRIE NATURE PRESERVE - MASON COUNTY	
For developing natural resources protection	42,600
WAYNE FITZGERRELL STATE PARK - JEFFERSON COUNTY	
For stabilizing the watershed shoreline	<u>188,499</u>
Total	\$1,285,967

Section 75. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from an appropriation and reappropriations heretofore made in Article 5, Division FY03, Section 12, Division FY02, Section 20, and Division FY01, Section 15 of Public Act 93-587, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of Natural Resources for the project hereinafter enumerated:

GOOSE LAKE PRAIRIE NATURAL AREA - GRUNDY COUNTY

(From Article 5, Division FY03, Section 12 of Public Act 93-587)

For rehabilitating visitor's center exterior	674,600
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STATEWIDE PROGRAM

(From Article 5, Division FY02, Section 20 of Public Act 93-587)

For replacing roofs at the following locations, at the approximate costs set forth below	93,663
Castle Rock State Park	60,000
Morrison-Rockwood State Park	33,663
WELDON SPRINGS STATE PARK - DEWITT COUNTY	
For improving the campgrounds	321,737
CLINTON LAKE - DEWITT COUNTY	
(From Article 5, Division FY01, Section 15 of Public Act 93-587)	
For upgrading campground electrical	125,510
PERE MARQUETTE STATE PARK - JERSEY COUNTY	
For replacing Camp Ouatoga shower building	3,081
DES PLAINES GAME FARM - WILL COUNTY	
For replacing the office building and rehabilitating the shop building	<u>217,797</u>
Total	\$1,436,388

Section 80. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made for such purposes in Article 1, Section 4, and Article 2, Section 6

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of Public Act 93-587, as amended, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Corrections for the projects hereinafter enumerated:

CENTRALIA CORRECTIONAL CENTER	
(From Article 1, Section 4 of Public Act 93-587)	
For replacing the cooling tower	660,000
(From Article 2, Section 6 of Public Act 93-587)	
For upgrading the electrical system, in addition to funds previously appropriated	1,600,000
For planning upgrade of electrical system	101,567
For upgrading building automation system	172,439
DANVILLE CORRECTIONAL CENTER	
For upgrading the power plant, in addition to funds previously appropriated	2,200,000
For planning upgrade of the boilers	180,050
DECATUR CORRECTIONAL CENTER	
(From Article 1, Section 4 of Public Act 93-587)	
For upgrading smoke and fire doors	140,000
(From Article 2, Section 6 of Public Act 93-587)	
DIXON CORRECTIONAL CENTER	
For planning the upgrade and expansion of the medical care facility	701,710
For constructing a gun range and classroom building	25,941
DWIGHT CORRECTIONAL CENTER	
For renovating C9 and Old Hospital	927,701
For renovating Housing Unit C8, in addition to funds previously appropriated	270,000
For renovating buildings, in addition to funds previously appropriated	274,847
For renovation of buildings	30,261
EAST MOLINE CORRECTIONAL CENTER	
(From Article 1, Section 4 of Public Act 93-587)	
For completing replacement of the absorption chiller, in addition to funds previously appropriated	400,000
For upgrading the roofing system	715,000
(From Article 2, Section 6 of Public Act 93-587)	
For replacing windows, in addition to funds previously appropriated	1,800,000
For replacing windows	494,899
For replacing the chiller/absorber	384,700
For upgrading fire alarm and building automation systems	268,189
For upgrading the electrical system	666,821
GRAHAM CORRECTIONAL CENTER	
(From Article 1, Section 4 of Public Act 93-587)	
For upgrading the cooling tower	290,000
For upgrading the mechanical system	410,000
(From Article 2, Section 6 of Public Act 93-587)	
For upgrading the building automation system, in addition to funds previously appropriated	900,000
For planning upgrade of building automation system and fire alarm system	128,020
For upgrading electrical system	512,112
HOPKINS PARK	

For infrastructure improvements in connection with the Hopkins Park Correctional Center	6,423,960
ILLINOIS YOUTH CENTER - KEWANEE - HENRY COUNTY	
For constructing a 60-bed inmate housing addition	340,016
ILLINOIS YOUTH CENTER - HARRISBURG	
(From Article 1, Section 4 of Public Act 93-587)	
For utility upgrade, including gas and sewer	5,540,000
(From Article 2, Section 6 of Public Act 93-587)	
For constructing a multi-purpose medical, vocational and confinement building	9,757,548
ILLINOIS YOUTH CENTER - RUSHVILLE	
For planning, design, construction, equipment and all other necessary costs to add a cellhouse	4,728,662
ILLINOIS YOUTH CENTER - ST. CHARLES	
For constructing an R & C building and other improvements	27,534,500
ILLINOIS YOUTH CENTER - WARRENVILLE	
For upgrading site utilities	51,139
For rehabilitation of the administration building	330,715
JOLIET CORRECTIONAL CENTER	
For replacing the transfer switch and emergency generator	948,968
KANKAKEE MSU - KANKAKEE COUNTY	
(From Article 2, Section 6 of Public Act 93-587)	
For fencing improvements	79,349
LAWRENCE COUNTY CORRECTIONAL CENTER - LAWRENCEVILLE	
For constructing two cellhouses, in addition to funds previously appropriated	158,637
LINCOLN CORRECTIONAL CENTER	
(From Article 1, Section 4 of Public Act 93-587)	
For replacing doors and locks	920,000
For upgrading the dietary freezers	1,830,000
(From Article 2, Section 6 of Public Act 93-587)	
For replacing water supply lines	346,562
LOGAN CORRECTIONAL CENTER	
(From Article 1, Section 4 of Public Act 93-587)	
For planning and beginning the upgrade of the power plant	700,000
For renovating the electrical distribution system	1,720,000
(From Article 2, Section 6 of Public Act 93-587)	
For constructing a medical building and dietary building	4,407,432
MENARD CORRECTIONAL CENTER - CHESTER	
For replacing the administration building, in addition to funds previously appropriated	12,300,000
For replacing the Administration Building	1,000,000
For replacing the sally port	63,269
For stabilizing dam, in addition to funds previously appropriated	49,653
For correcting slope failure & MSU improvements	47,156

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For improving ventilation and dehumidification systems in the kitchen and dining rooms	75,183
For completing upgrade of North Cellhouse plumbing system, in addition to funds previously appropriated	35,051
For replacing toilets and waste lines at E/W Cellhouse and upgrade North Cellhouse plumbing	418,214
For renovation or replacement of the Old Hospital Building, in addition to funds previously appropriated	153,586
For planning and construction of the Administration Building	897,201
PONTIAC CORRECTIONAL CENTER	
(From Article 1, Section 4 of Public Act 93-587)	
For replacing doors and frames	1,620,000
For replacing the roof on the Training Center and Industry	390,000
SHAWNEE CORRECTIONAL CENTER	
For replacing the emergency generator	1,075,000
SOUTHWESTERN CORRECTIONAL CENTER	
(From Article 2, Section 6 of Public Act 93-587)	
For replacing sewer lines	68,475
STATEVILLE CORRECTIONAL CENTER - JOLIET	
(From Article 1, Section 4 of Public Act 93-587)	
For replacing doors and locks	580,000
(From Article 2, Section 6 of Public Act 93-587)	
For replacing windows in Cellhouse B, in addition to funds previously appropriated	2,500,000
For planning and beginning renovation of H & I houses	390,775
For replacing the water line	730,771
For constructing a housing unit, cellhouse, vehicle maintenance building and warehouse for the reception and classification center, in addition to funds previously appropriated	381,733
For replacing windows in B House	2,831,344
For replacing cell fronts in F House	139,090
For upgrading plumbing system in F House, in addition to funds previously appropriated	822,356
For replacing power plant and utility distribution system	2,025,822
For planning, design, construction, equipment and all other necessary costs for an Adult Reception and Classification Center	1,519,562
For upgrading electrical system and elevator and installing HVAC system	1,156,777
TAMMS CORRECTIONAL CENTER	
Construct bar screen	556,763
THOMSON CORRECTIONAL CENTER	
For constructing three cellhouses and expanding educational and vocational space, in addition to funds previously appropriated	339,688
VANDALIA CORRECTIONAL CENTER	

For constructing a multi-purpose program building	90,656
For converting Administration Building and planning construction of an Administration/ Health Care Unit	333,846
For planning and beginning construction for a slaughter house and meat plant	215,641
VIENNA CORRECTIONAL CENTER	
(From Article 1, Section 4 of Public Act 93-587)	
For replacing the cooler and freezer	2,290,000
For upgrading the power plant	4,670,000
(From Article 2, Section 6 of Public Act 93-587)	
For upgrading the HVAC system and replacing water lines in six housing units	710,480
For renovating the kitchen	44,164
WESTERN ILLINOIS CORRECTIONAL CENTER - MT. STERLING	
For replacing warehouse freezers	36,738
STATEWIDE	
For upgrading roofing systems at the following locations at the approximate costs set forth below	1,395,435
Hardin County Work	
Camp	8,808
Illinois Youth Center	
Joliet	978,251
Pontiac Correctional Center	408,376
For replacing windows at the following locations at the approximate costs set forth below, in addition to funds previously appropriated	1,850,000
Dixon Correctional Center	1,850,000
For replacing doors and locks at the following locations at the approximate costs set forth below	1,775,842
Dixon Correctional Center	1,229,188
Hill Correctional Center	472,616
Vienna Correctional Center	74,038
For replacing roofing systems at the following locations at the approximate cost set forth below	433,337
Illinois Youth Center - St. Charles	94,132
Illinois Youth Center - Warrenville	307,788
Logan Correctional Center	31,417
For upgrading showers at the following locations at the approximate cost set forth below	655,730
Hill Correctional Center	652,730
Illinois River Correctional Center	3,000
For upgrading water distribution systems at the following locations at the approximate cost set forth below	593,203
Dixon Correctional Center	207,295
Joliet Correctional Center	385,908

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For upgrading water towers at the following locations at the approximate cost set forth below	2,064,827
Dixon Correctional Center	812,739
Illinois Youth Center - St. Charles	1,242,558
Illinois Youth Center - Valley View	9,530
For planning, design, construction, equipment and all other necessary costs for a maximum security facility	103,942,904
For planning a medium security facility and land acquisition	2,629,428
For replacing locks and control panels at the following locations at the approximate costs set forth below	849,512
Illinois River Correctional Center	283,171
Western Illinois Correctional Center	283,171
Danville Correctional Center	283,170
For replacing roofing systems at the following locations at the approximate cost set forth below	182,924
Menard Correctional Center	7,353
Vienna Correctional Center	81,100
Illinois Youth Center - Harrisburg	4,138
Dixon Correctional Center	27,156
Pontiac Correctional Center	10
Illinois Youth Center - Joliet	63,167
For replacing or upgrading security and monitoring systems at the following locations at the approximate cost set forth below	373,156
Vienna Correctional Center	250,000
Pontiac Correctional Center	94,450
Joliet Correctional Center	28,706
For planning and replacing windows at the following locations at the approximate cost set forth below	2,353,255
Vienna Correctional Center	1,780,000
Sheridan Correctional Center	363,674
Illinois Youth Center - Valley View	8,310
Illinois Youth Center - Joliet	81,499
Dixon Correctional Center	106,031
Shawnee Correctional Center	13,741
For upgrading and renovating showers at	

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the following locations at the approximate cost set forth below	139,678
Shawnee Correctional Center	106,460
Danville Correctional Center	23,391
Graham Correctional Center	9,827
For replacing security fencing at the following locations at the approximate cost set forth below	484,909
Hill Correctional Center	3,547
Western IL Correctional Center	31,427
Joliet Correctional Center	49,119
Logan Correctional Center	200,000
Dixon Correctional Center	100,000
Shawnee Correctional Center	35,400
Graham Correctional Center	24,369
Danville Correctional Center	41,047
For upgrading roads and parking lots at the following locations at the approximate cost set forth below	193,314
Center	21,148
Illinois Youth Center - Valley View	172,166
For planning, design, construction, equipment and all other necessary costs for a female multi-security level correctional center	65,713,681
For replacing roofing systems at the following locations at the approximate cost set forth below	189,284
Vienna Correctional Center	150,261
Sheridan Correctional Center	17,785
Western Illinois Correctional Center - Mt. Sterling	21,238
For upgrading security control systems and panels in housing units at the following locations at the approximate cost set forth below	41,972
Danville Correctional Center	8,394
Hill Correctional Center - Galesburg	8,394
Western Illinois Correctional Center - Mt. Sterling	8,394
Illinois River Correctional Center - Canton	8,395
Shawnee Correctional Center - Vienna	8,395
For planning, design, construction, equipment and all other necessary costs	

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for a juvenile facility	1,748,879
For replacing roofing systems at the following locations at the approximate cost set forth below	213,808
Dixon Correctional Center, four buildings	3,762
IYC - St. Charles, two buildings	187,479
Joliet Correctional Center, six buildings	11,441
Logan Correctional Center - Lincoln three buildings	5,584
Pontiac Correctional Center, one building	5,542
For inspecting and upgrading water towers at the following locations at the approximate costs set forth below	287,081
Dixon Correctional Center, Upgrade Water Tower	60,926
Graham Correctional Center - Hillsboro Upgrade Water Tower	30,990
Joliet Correctional Center, Upgrade Water Tower	37,171
Logan Correctional Center - Lincoln Complete Water Tower Upgrade	13,111
Menard Correctional Center - Chester Upgrade Water Tower	22,443
Stateville Correctional Center - Joliet Upgrade Water Tower	36,112
Statewide, Inspect and Upgrade Water Towers	86,328
For upgrading fire and safety systems at the following locations at the approximate costs set forth below, in addition to funds previously appropriated	2,037,256
Menard Correctional Center - Chester	1,854,559
Sheridan Correctional Center	110,620
Vienna Correctional Center	72,077
For replacing doors and locks at the following locations at the approximate costs set forth below:	345,466
IYC - St. Charles	160,081
Lincoln Correctional Center	94,207
Jacksonville Correctional Center	12,473
Sheridan Correctional Center	78,705
For upgrading fire safety systems at the following locations at the approximate costs set forth below, in addition to funds previously appropriated:	917,626
Menard Correctional Center	1,370
Pontiac Correctional Center	696,383
Stateville Correctional Center	219,873
For upgrading water and wastewater systems at the following locations at the approximate costs set forth below:	442,131
Big Muddy Correctional Center for installing mechanical bar screen	7,348
Centralia Correctional Center	

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for upgrading water treatment plant	946
East Moline Correctional Center for upgrading sewer system	4,310
Ed Jenison Work Camp (Paris) for installing mechanical bar screen	2,530
IYC - Harrisburg for upgrading water distribution system	59,198
Kankakee MSU for constructing well #2	288,550
IYC - St. Charles for upgrading sewage/storm system	67,475
IYC - Valley View for installing mechanical bar screen	11,774
For replacement of locks, windows and doors at the following locations as set forth below:	30,388
IYC Harrisburg	9,684
Menard	5,762
IYC Valley View	14,942
For planning, design, construction, equipment and other necessary costs for a Correctional Facility for juveniles	80,247
For planning, design, construction, equipment and other necessary costs for a Medium Security Correctional Facility	83,625
For correcting defects in the food preparation areas, including roofs	61,031
For replacement of roofs at various Department of Corrections locations	<u>29,547</u>
Total	\$312,770,215
Section 85. The following named amounts, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made for such purpose in Article 5, Division FY04, Section 12, Division FY03, Section 9, Division FY02, Section 16, and Division FY01, Section 11 of Public Act 93-587, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of Corrections for the projects hereinafter enumerated:	
BIG MUDDY CORRECTIONAL FACILITY	
(From Article 5, Division FY04, Section 12 of Public Act 93-587)	
For replacing door locking controls and intercom systems	2,800,000
STATEVILLE CORRECTIONAL CENTER	
For installing fire alarm systems	1,600,000
(From Article 5, Division FY03, Section 9 of Public Act 93-587)	
STATEVILLE CORRECTIONAL CENTER	
For upgrading the storm and wastewater systems, in addition to funds previously appropriated	648,428
(From Article 5, Division FY02, Section 16 of Public Act 93-587)	
STATEWIDE	
For upgrading the water towers at the following locations at the approximate costs set forth below	1,293,713
Joliet Correctional Center	970,000
Vienna Correctional Center	323,713
HILL CORRECTIONAL CENTER - GALESBURG	

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For upgrading building automation	141,702
VANDALIA CORRECTIONAL CENTER	
For upgrading the water distribution system and replacing the water tower, in addition to funds previously appropriated	103,914
PONTIAC CORRECTIONAL CENTER - LIVINGSTON COUNTY	
(From Article 5, Division FY01, Section 11 of Public Act 93-587)	
For repairing and renovating HVAC systems in the Administration Building	44,790
Total	\$6,632,547
Section 90. The sum of \$3,111,900, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made for such purposes in Article 1, Section 16 of Public Act 93-0635, is reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Emergency Management Agency for costs associated with a new State Emergency Operations Center.	
Section 95. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made for such purposes in Article 2, Section 7 of Public Act 93-587, are reappropriated from the Capital Development Fund to the Capital Development Board for the Historic Preservation Agency for the projects hereinafter enumerated:	
BISHOP HILL HISTORIC SITE - HENRY COUNTY	
(From Article 2, Section 7 of Public Act 93-587)	
For restoring interior and exterior	185,523
For rehabilitating Bjorkland Hotel	855,025
BLACKHAWK STATE HISTORIC SITE	
For rehabilitating lodge	44,764
For a grant to the City of Rock Island to relocate the existing sewer line	120,000
BRYANT COTTAGE STATE MEMORIAL - BEMENT	
For rehabilitating interior and exterior	198,287
CAHOKIA COURTHOUSE STATE MEMORIAL - CAHOKIA	
For providing structural stabilization	269,978
For renovation of the Cahokia Courthouse and the Jarrot House	31,183
CAHOKIA MOUNDS HISTORIC SITE - COLLINSVILLE	
For replacement of Monk's Mounds stairs	339,695
For restoration of Monk's Mound	1,009,932
For purchasing private land within historic site boundary	189,979
DAVID DAVIS HOME	
To acquire a residence to be converted to a Visitors Center	249,400
FORT DE CHARTRES HISTORIC SITE - RANDOLPH COUNTY	
For rehabilitating the stone gatehouse wall and foundation	200,969
JARROT MANSION STATE HISTORICAL SITE	
For restoring the mansion, site improvements and land acquisition, in addition to funds previously appropriated	1,563,314
LEWIS AND CLARK STATE MEMORIAL - MADISON COUNTY	
For constructing interpretive center, and development of the historic site in addition to funds previously appropriated	22,152
LINCOLN'S TOMB/VIETNAM MEMORIAL - SPRINGFIELD	
For rehabilitating site and providing irrigation system	201,760

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LINCOLN-HERNDON LAW OFFICE - SPRINGFIELD	
For rehabilitating interior and exterior	46,511
LINCOLN'S NEW SALEM HISTORIC SITE - MENARD COUNTY	
For providing electrical at campgrounds	120,000
LINCOLN PRESIDENTIAL CENTER - SPRINGFIELD	
For constructing library and museum complex, in addition to funds previously appropriated	32,316,455
For constructing a Lincoln Presidential Library	792,033
For planning and beginning the Lincoln Presidential Center, in addition to funds previously appropriated	18,811
OLD STATE CAPITOL - SPRINGFIELD	
For repairing elevators	405,000
SHAWNEETOWN BANK HISTORIC SITE - GALLATIN COUNTY	
For rehabilitating exterior	425,756
UNION STATION - SPRINGFIELD	
For purchasing and rehabilitating	2,430,282
STATEWIDE	
For statewide ISTE 21 Match	637,000
For replacing roofing systems at the following locations at the approximate costs set forth below:	115,622
Fort De Chartres, Randolph County	100
Washburne House, Galena	5,378
David Davis Mansion, Bloomington	22,051
Bishop Hill House, Henry County	88,093
For matching ISTE 21 federal grant funds	<u>157,379</u>
Total	\$42,946,810
Section 100. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from reappropriations made for such purposes in Article 2, Section 7a of Public Act 93-587, are reappropriated from the Tobacco Settlement Recovery Fund to the Capital Development Board for the Historic Preservation Agency for the projects hereinafter enumerated:	
LINCOLN LOG CABIN HISTORIC SITE - COLES COUNTY	
For providing roads, parking areas and pedestrian bridges	55,400
Section 105. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from reappropriations heretofore made in Article 5, Division FY02, Section 17, Division FY02, Section 23, Division FY01, Section 12 and Division FY00, Section 1-4 of Public Act 93-587, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Historic Preservation Agency for the projects hereinafter enumerated:	
MT. PULASKI COURTHOUSE HISTORIC SITE - LOGAN COUNTY	
(From Article 5, Division FY02, Section 17 of Public Act 93-587)	
For rehabilitating interior & exterior	206,768
BISHOP HILL HISTORIC SITE - HENRY COUNTY	
(From Article 5, Division FY02, Section 23 of Public Act 93-587)	
For restoring interior and exterior	486,676
VANDALIA STATE HOUSE HISTORIC SITE	
(From Article 5, Division FY01, Section 12 of Public Act 93-587)	
For rehabilitating the interior and exterior	240,009
PULLMAN HISTORIC SITE	
(From Article 5, Division FY00, Section 1-4 of Public Act 93-587)	
For all costs associated with the stabilization and restoration of the Pullman Historic Site	<u>5,697,992</u>
Total	\$6,631,445

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Section 110. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made for such purposes in Article 1, Section 5, and Article 2, Section 8 of Public Act 93-587, as amended, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Human Services for the projects hereinafter enumerated:

ALTON MENTAL HEALTH CENTER - MADISON COUNTY	
(From Article 2, Section 8 of Public Act 93-587)	
For renovating the Forensic Complex and constructing two building additions, in addition to funds previously appropriated	3,900,000
For renovating the central dietary, Phase II, in addition to funds previously appropriated	1,066,850
For constructing two building additions at the Forensic Complex	7,459,488
For rehabilitation of the central dietary	226,935
CHESTER MENTAL HEALTH CENTER	
(From Article 1, Section 5 of Public Act 93-587)	
For completing the replacement of smoke and heat detectors, in addition to funds previously appropriated	440,000
For upgrading HVAC systems	625,000
(From Article 2, Section 8 of Public Act 93-587)	
For renovating support and residential areas, in addition to funds previously appropriated	539,737
For replacing smoke/heat detectors	357,046
For replacing sewer lines	189,335
For renovating kitchen area	43,840
For replacing fencing and upgrading recreational yard	75,795
For renovating support and residential area 163,945	
CHICAGO REED MENTAL HEALTH CENTER - CHICAGO	
(From Article 1, Section 5 of Public Act 93-587)	
For rehabbing absorbers, controls and valves	410,000
(From Article 2, Section 8 of Public Act 93-587)	
For upgrading fire/life safety systems, in addition to funds previously appropriated	66,174
For renovating residential units, in addition to funds previously appropriated	324,265
For renovation of the West Campus Nurses' Stations	14,327
For renovation of the West Campus shower and toilet rooms	134,469
CHOATE MENTAL HEALTH AND DEVELOPMENTAL CENTER - ANNA	
(From Article 1, Section 5 of Public Act 93-587)	
For renovating Sycamore Hall	2,785,000
(From Article 2, Section 8 of Public Act 93-587)	
For replacing cooling towers	91,042
For planning and beginning the renovation of Life Skills Building	179,436
ELGIN MENTAL HEALTH CENTER - KANE COUNTY	
For replacing power plant and engineering building	7,942,071
For renovating the central dietary	

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and kitchen	3,756,053
For construction of roads, parking lots and street lights	1,107,902
For upgrading and expanding the mechanical infrastructure, in addition to funds previously appropriated	1,407,096
FOX DEVELOPMENTAL CENTER - DWIGHT	
(From Article 1, Section 5 of Public Act 93-587)	
For upgrading fire alarm systems	950,000
(From Article 2, Section 8 of Public Act 93-587)	
For replacing and repairing interior doors, flooring and walls, in addition to funds previously appropriated	1,105,000
For planning and beginning replacement of interior doors and flooring and repairing walls in the Main and Administration Buildings	1,091,883
For replacement of absorbers and upgrading HVAC system	35,808
HOWE DEVELOPMENTAL CENTER - TINLEY PARK	
(From Article 1, Section 5 of Public Act 93-587)	
For completing replacement of HVAC systems, in addition to funds previously appropriated	1,400,000
For upgrading plumbing in kitchen	735,000
For planning the replacement of absorption-type A/C	450,000
(From Article 2, Section 8 of Public Act 93-587)	
For replacing HVAC and duct work	39,704
For completing upgrade of tunnels, Phase II, in addition to funds previously appropriated	426,086
For renovating residences, in addition to funds previously appropriated	1,952,167
For replacing roofs	21,272
For renovation of residential buildings	126,350
ILLINOIS SCHOOL FOR THE DEAF - JACKSONVILLE	
For renovating the High School Building Phase II	1,580,000
For renovating the health center	719,371
For replacing roof and upgrading the mechanical system at Burns Gym	2,254,318
For replacing the visual alert system	751,734
For renovating High School Building	1,069,250
For replacing HVAC, upgrading electrical and replacing doors, in addition to funds previously appropriated	642,256
ILLINOIS SCHOOL FOR THE VISUALLY IMPAIRED - JACKSONVILLE (From Article 1, Section 5 of Public Act 93-587)	
For renovating auditorium, classroom and administration buildings	2,385,000
For renovating classrooms in Building 17 (From Article 2, Section 8 of Public Act 93-587)	1,330,000
For renovating the Girls' Dormitory, in addition to funds previously appropriated	254,107
For planning and beginning renovation of the Girls' Dormitory	10,761
For installation of individual package boilers, in addition	

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to funds previously appropriated	400,000
JACKSONVILLE DEVELOPMENTAL CENTER - MORGAN COUNTY	
For planning and beginning the renovation of the power house	698,226
KILEY DEVELOPMENTAL CENTER - WAUKEGAN	
For converting the facility to natural gas, in addition to funds previously appropriated	1,131,120
For renovating homes, Phase II, in addition to funds previously appropriated	166,130
For planning and beginning installation of gas distribution system	44,634
LINCOLN DEVELOPMENTAL CENTER - LOGAN	
(From Article 1, Section 5 of Public Act 93-587)	
For various capital improvements, including planning and construction of four ten-bed transitional or residential homes	7,000,000
LUDEMAN DEVELOPMENTAL CENTER - PARK FOREST	
For upgrading the electrical panel (From Article 2, Section 8 of Public Act 93-587)	1,240,000
For repairing and replacing furnaces and duct work, in addition to funds previously appropriated	500,000
For renovating residential and neighborhood homes, in addition to funds previously appropriated	1,762,272
For replacing plumbing, HVAC and boiler systems	742,685
For renovation of residential buildings, in addition to funds previously appropriated	1,567,702
For renovation of residences	35,293
MABLEY DEVELOPMENTAL CENTER - DIXON	
For replacing mechanicals and upgrading the fire alarm systems	906,700
For planning and beginning renovation of residential buildings (From Article 1, Section 5 of Public Act 93-587)	1,525,139
MADDEN MENTAL HEALTH CENTER - HINES	
For planning and beginning facility improvements to provide for patient safety and suicide prevention	100,000
(From Article 2, Section 8 of Public Act 93-587)	
For renovating pavilions and administration building for safety/ security, in addition to funds previously appropriated	1,200,000
For renovating dietary	867,500
For renovation of pavilions, in addition to funds previously appropriated	394,351
MCFARLAND MENTAL HEALTH CENTER - SPRINGFIELD	
For renovating Kennedy Hall	270,413
MURRAY DEVELOPMENTAL CENTER - CENTRALIA	
(From Article 1, Section 5 of Public Act 93-587)	
For completing the renovation of the boiler house, in addition to	

funds previously appropriated (From Article 2, Section 8 of Public Act 93-587)	3,400,000
For renovating the boiler house, in addition to funds previously appropriated	1,034,157
For replacing the emergency management system, in addition to funds previously appropriated	585,000
For planning and beginning boiler house renovation	57,310
For replacing energy management system	120,170
SHAPIO DEVELOPMENTAL CENTER - KANKAKEE	
For replacing the sewer system in south campus	2,112,880
For planning and beginning renovation of dietary	453,575
For work necessary to remedy fire damper deficiencies	1,469,908
For replacing water mains and valves, in addition to funds previously appropriated	765,085
For replacing steam & condensate lines, in addition to funds previously appropriated	1,223,848
For upgrading HVAC systems in four residential buildings	160,894
For planning and beginning the upgrade of steam and condensate lines	137,575
For rehabilitating HVAC system	52,552
SINGER MENTAL HEALTH CENTER - ROCKFORD	
(From Article 1, Section 5 of Public Act 93-587)	
For upgrading fire alarm systems	665,000
(From Article 2, Section 8 of Public Act 93-587)	
For renovating dietary and stores	1,813,672
For renovating patient units, Phase II, in addition to funds previously appropriated	3,100,000
For renovating mechanicals and residential areas	731,508
TINLEY PARK MENTAL HEALTH CENTER – COOK COUNTY	
(From Article 1, Section 5 of Public Act 93-587)	
For completing the upgrade of fire and life/safety issues in Oak Hall, in addition to funds previously appropriated	600,000
TINLEY PARK MENTAL HEALTH CENTER/HOWE DEVELOPMENTAL CENTER	
(From Article 2, Section 8 of Public Act 93-587)	
For renovation for accessibility in four buildings	74,856
TREATMENT AND DETENTION FACILITY - JOLIET	
(From Article 1, Section 5 of Public Act 93-587)	
For improving the administration building for life safety	160,000
STATEWIDE	
For planning and beginning life safety/security systems	1,500,000
For replacing roofing systems at the following locations, at the	

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approximate costs set forth below	2,615,000
Chicago-Read Mental Health Center - Cook County	2,115,000
Fox Developmental Center - Dwight	200,000
Kiley Developmental Center - Waukegan	300,000
(From Article 2, Section 8 of Public Act 93-587)	
For replacing and repairing roofing systems at the following locations, at the approximate cost set forth below	5,409,425
Alton Mental Health Center - Madison	385,732
Shapiro Developmental Center - Kankakee	115,000
Ludeman Developmental Center - Park Forest	25,000
Madden Mental Health Center - Hines	2,408,100
Murray Developmental Center - Centralia	1,828,367
Kiley Developmental Center - Waukegan	647,226
(From Article 2, Section 8 of Public Act 93-587)	
For replacing and repairing roofing systems at the following locations, at the approximate cost set forth below	1,212,783
Alton Mental Health Center	12
Chicago-Read Mental Health Center	421,632
Howe Developmental Center - Tinley Park	562,126
Shapiro Developmental Center - Kankakee	42,393
Illinois School for the Deaf - Jacksonville	69,661
Kiley Developmental Center - Waukegan	116,959
For repairing or replacing roofs at the following locations, at the approximate cost set forth below	1,486,626
Illinois School for the Visually Impaired - Jacksonville	38,369
Jacksonville Developmental Center - Morgan County	60,000
Lincoln Developmental Center - Logan County	7,001
Murray Developmental Center - Centralia	111,001
Shapiro Developmental Center - Kankakee	1,270,255
For planning and beginning construction of a facility for sexually violent persons	250,381
For replacing and repairing roofing systems at the following locations at the approximate cost set forth below	381,174

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Choate Developmental Center - Anna	10,416
Chicago-Read Mental Health Center	36,000
Tinley Park Mental Health Center	130,561
Illinois School for the Visually Impaired - Jacksonville	19,414
Shapiro Developmental Center - Kankakee	25,955
Kiley Developmental Center - Waukegan	32,716
Ludeman Developmental Center - Park Forest	126,112
For upgrading roads at the following locations at the approximate cost set forth below	43,262
Howe Developmental Center - Tinley Park	4,954
Shapiro Developmental Center - Kankakee	38,308
For replacing roofing systems at the following locations at the approximate costs set forth below:	102,417
Elgin Mental Health Center, five buildings	59,071
Jacksonville Mental Health and Developmental Center, two buildings	43,346
For replacement of roofing systems at the following locations at the approximate costs set forth below:	217,456
Lincoln Development Center	54,364
Murray Developmental Center	54,364
Elgin Developmental Center	54,364
Shapiro Developmental Center	54,364
For replacement of roofs at the following locations at the approximate costs set forth below:	<u>21,670</u>
Elgin Mental Health Center - Three buildings	3,284
Lincoln Developmental Center - Three buildings	4,088
Ludeman Developmental Center - Support buildings	4,492
Madden Mental Health Center - Buildings and covered walkways	1,000
McFarland Mental Health Center - Three buildings	4,570
Meyer Mental Health Center - One building	1,450
Shapiro Developmental Center - Three buildings	1
Tinley Park Mental Health Center - Oak Hall	2,785
Total	\$105,146,222

Section 115. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from reappropriations heretofore made for such purposes in Article 2, Section 8.1 of Public Act 93-587, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Human Services for the projects hereinafter enumerated:

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ILLINOIS SCHOOL FOR THE VISUALLY IMPAIRED - JACKSONVILLE

For constructing a new building to replace buildings 2, 3 and 4, in addition to funds previously appropriated	86,364
For installation of individual package boilers	<u>224,019</u>
Total	\$310,383

Section 120. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations heretofore made for such purposes in Article 2, Section 8a of Public Act 93-587, are reappropriated from the Tobacco Settlement Recovery Fund to the Capital Development Board for the Department of Human Services for the projects hereinafter enumerated:

STATEWIDE PROGRAM

(From Article 2, Section 8a of Public Act 93-587)

For tuckpointing at the following locations at the approximate cost set forth below	171,772
Howe Developmental Center - Tinley Park	115,000
Madden Mental Health Center - Hines	43,661
Tinley Park Mental Health Center	13,111
For tuckpointing exterior and repairing masonry at various facilities	<u>394,844</u>
Total	\$566,616

Section 125. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from an appropriation and reappropriations heretofore made for such purpose in Article 5, Division FY04, Section 13, Division FY03, Section 10, Division FY02, Section 18, and Division FY01, Section 13 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of Human Services for the project hereinafter enumerated:

ILLINOIS SCHOOL FOR THE DEAF – JACKSONVILLE

(From Article 5, Division FY04, Section 13 of Public Act 93-587)	
For replacing dorm doors	2,000,000

JACKSONVILLE DEVELOPMENTAL CENTER – MORGAN

(From Article 5, Division FY03, Section 10 of Public Act 93-587)

For upgrading the mechanicals in the power plant, in addition to funds previously appropriated	1,000,000
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CHESTER MENTAL HEALTH CENTER

(From Article 5, Division FY02, Section 18 of Public Act 93-587)

For renovating kitchen area, in addition to funds previously appropriated	20,981
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CHOATE MENTAL HEALTH CENTER - ANNA

For installing courtyard/recreation area at Dogwood and Rosebud	20,463
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SINGER MENTAL HEALTH CENTER

For repair and/or replacement of roofs	71,994
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TINLEY PARK MENTAL HEALTH CENTER

For upgrading fire/life safety systems and lighting, in addition to funds previously appropriated	293,413
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FOX DEVELOPMENTAL CENTER - DWIGHT

(From Article 5, Division FY01, Section 13 of Public Act 93-587)

For renovating the water treatment plant	<u>1,236,216</u>
Total	\$4,643,067

Section 130. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriation and

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reappropriations heretofore made in Article 2, Section 9 of Public Act 93-587, are reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Medical District Commission for the projects hereinafter enumerated:

ILLINOIS MEDICAL DISTRICT COMMISSION - CHICAGO

(From Article 2, Section 9 of Public Act 93-587)

For upgrading utility and infrastructure, in addition to funds previously appropriated	650,000
For upgrading core utilities	428,574
For upgrading research center	385,621
For constructing a Lab and Research Biotech Grad Facility	<u>241,478</u>
Total	\$1,705,673

Section 135. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from reappropriations heretofore made in Article 5, Division FY01, Section 19 of Public Act 93-587, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Medical District Commission for the projects hereinafter enumerated:

ILLINOIS MEDICAL DISTRICT COMMISSION - CHICAGO

For upgrading automation system and replacing fans	6,339
For installing humidification system	<u>14,751</u>
Total	\$21,090

Section 140. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made for such purposes in Article 1, Section 6, and Article 2, Section 10 of Public Act 93-587, as amended, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Military Affairs for the projects hereinafter enumerated:

BLOOMINGTON ARMORY - McLEAN COUNTY

(From Article 1, Section 6 of Public Act 93-587)

For rehabilitating the mechanical/electrical systems and renovating the interior	3,000,000
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CAIRO ARMORY

(From Article 2, Section 10 of Public Act 93-587)

For replacing roof and renovating the interior and exterior	1,217,518
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CAMP LINCOLN - SPRINGFIELD

For converting commissary to a military museum, in addition to funds previously appropriated	113,098
For construction of a military academy facility	638,820
For site improvements and construction for a military academy facility, including repair and reconstruction of access roads and drives at Camp Lincoln	24,062

CHAMPAIGN ARMORY

For upgrading mechanical and electrical systems and installing a kitchen	143,081
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DANVILLE ARMORY

For planning and construction of a new armory	5,325
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EAST ST. LOUIS ARMORY - ST. CLAIR COUNTY

For upgrading mechanical systems and rest rooms	224,088
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ELGIN ARMORY - KANE COUNTY

For upgrading the interior and exterior	856,456
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GALVA ARMORY - HENRY COUNTY

For replacing the roof and upgrading the	
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interior and exterior		92,807
	GENERAL JONES ARMORY	
For rehabilitating the armory building, in addition to funds previously appropriated		564,660
For renovation of the exterior and interior, mechanical areas and expansion of the parking lot, in addition to amounts previously appropriated		13,004
For replacement of the Assembly Hall roofing system including its structural system		14,708
	JOLIET ARMORY - WILL COUNTY	
For renovating mechanical and electrical systems and exterior		116,101
	KEWANEE ARMORY	
For upgrading electrical and mechanical systems and installing a kitchen		248,511
	LITCHFIELD ARMORY	
For remodeling and installing a kitchen		489,302
	MACOMB ARMORY - McDONOUGH	
(From Article 1, Section 6 of Public Act 93-587)		
For completing the mechanical/electrical systems upgrade, renovating the interior, and installing a kitchen, in addition to funds previously appropriated		2,565,000
(From Article 2, Section 10 of Public Act 93-587)		
For replacing the mechanical and electrical systems and installing a kitchen		891,145
	MATTOON ARMORY	
For replacing the roof and renovating the interior and exterior		924,273
	MONMOUTH ARMORY	
For replacing the roof and renovating the interior and exterior		731,379
	NORTH RIVERSIDE ARMORY	
For rehabilitating the interior and exterior		345,789
	NORTHWEST ARMORY - CHICAGO	
(From Article 1, Section 6 of Public Act 93-587)		
For upgrading the electrical system		2,815,000
(From Article 2, Section 10 of Public Act 93-587)		
For replacing the mechanical systems		1,908,229
For renovation of interior and exterior, in addition to funds previously appropriated for such purposes		315,232
	ROCK FALLS ARMORY	
For replacing the mechanical and electrical systems and upgrading the interior		1,937,436
	SALEM ARMORY	
For remodeling and installing a kitchen		448,940
	SYCAMORE ARMORY	
For replacing the electrical system, renovating the interior and installing air conditioning		1,607,004
	STATEWIDE	

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For replacing roofing systems, windows and doors, and rehabilitating the exterior walls at the following locations, at the approximate cost set forth below	<u>76,244</u>
Bloomington Armory	15,248
Kewanee Armory	15,249
Macomb Armory	15,249
Rock Falls Armory	15,249
Sycamore Armory	15,249
Total	\$22,327,212

Section 145. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from reappropriations heretofore made in Article 5, Division FY03, Section 11, Division FY02, Section 19 and Division FY01, Section 14 of Public Act 93-587, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of Military Affairs for the projects hereinafter enumerated:

NORTHWEST ARMORY - CHICAGO

(From Article 5, Division FY03, Section 11 of Public Act 93-587)	
For renovating the mechanical systems, in addition to funds previously appropriated	1,000,000

LAWRENCEVILLE ARMORY

(From Article 5, Division FY02, Section 19 of Public Act 93-587)	
For rehabilitating the exterior and replacing roofing systems	225,370

MT. VERNON ARMORY

For resurfacing floors and replacing exterior doors	33,070
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JOLIET ARMORY – WILL COUNTY

(From Article 5, Division FY01, Section 14 of Public Act 93-587)	
For replacing low roof	<u>21,785</u>
Total	\$1,280,225

Section 150. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made for such purposes in Article 1, Section 8 and Article 2, Section 12 of Public Act 93-587, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Revenue for the projects hereinafter enumerated:

WILLARD ICE BUILDING - SPRINGFIELD

(From Article 1, Section 8 of Public Act 93-587)	
For completing the upgrade of building management controls, in addition to funds previously appropriated	400,000
For replacing the dock exhaust system	590,000
(From Article 2, Section 12 of Public 93-587)	
For replacing and repairing concrete stairway and completing of parking deck, in addition to funds previously appropriated	285,000
For upgrading building management controls	3,521,054
For upgrading the plumbing system	1,719,416
For upgrading parking lot/parking deck structural repair	1,250,000
For renovating the interior and upgrading HVAC	<u>3,637,868</u>
Total	\$11,403,338

Section 155. The following named amounts, or so much thereof as may be necessary and

as remain unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made in Article 2, Section 12a of Public Act 93-587, are reappropriated from the Tobacco Settlement Recovery Fund to the Capital Development Board for the Department of Revenue for the project hereinafter enumerated:

WILLARD ICE BUILDING - SPRINGFIELD

(From Article 2, Section 12a of Public Act 93-587)

For completing security system upgrade, in addition to funds previously appropriated	\$178,838
For structural analysis of parking deck	16,176
Total	\$195,014

Section 160. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made for such purposes in Article 5, Division FY04, Section 10, Division FY03, Section 13 and Division FY01, Section 16 of Public Act 93-587, are appropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of Revenue for the project hereinafter enumerated:

WILLARD ICE BUILDING - SPRINGFIELD

(From Article 5, Division FY04, Section 10 of Public Act 93-587)

For completing the upgrade of the Plumbing System	600,000
(From Article 5, Division FY03, Section 13 of Public Act 93-587) For planning the curtain wall renovation	38,950
(From Article 5, Division FY01, Section 16 of Public Act 93-587) For resealing and replacing atrium windows	74,930
For installing fire suppression system	39,951
Total	\$753,831

Section 165. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made for such purposes in Article 2, Section 13 of Public Act 93-587, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of State Police for the projects hereinafter enumerated:

CHICAGO FORENSIC LABORATORY

(From Article 2, Section 13 of Public Act 93-587)

For construction of a laboratory and parking facilities	84,737
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DISTRICT 13 HEADQUARTERS - DuQUOIN

For constructing a district 13 headquarters	355,310
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DISTRICT 6 HEADQUARTERS - PONTIAC

For planning, construction, reconstruction, demolition of existing buildings, and all costs related to replacing the facilities	714,741
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PESOTUM - DISTRICT 10

For replacing the sewer and septic systems	43,695
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SPRINGFIELD ARMORY

For planning and design of the rehabilitation and site improvements of the Springfield Armory, in addition to funds previously appropriated	1,216,439
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STERLING - DISTRICT 1

For planning, construction, reconstruction, demolition of existing buildings, and all costs related to the relocation of the headquarters, in addition to funds previously appropriated	51,231
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STATEWIDE

[July 24, 2004]

For replacing communications towers equipment and tower buildings	2,141,042
For upgrading generators and UPS systems	39,996
For replacing roofing system at the following locations at the approximate cost set forth below	297,862
District 13 Headquarters, DuQuoin	46,752
Joliet Laboratory	40,000
District 6 Headquarters, Pontiac	38,900
District 9 Headquarters, Springfield	109,510
State Police Training Center, Pawnee	10,000
District 18 Headquarters, Litchfield	45,000
District 19 Headquarters, Carmi	7,700
For replacing radio communication towers, equipment buildings and installing emergency power generators at the following locations: Pecatonica, Elwood, Kingston, Mason City 1,115,826	
For replacing radio communication towers and equipment buildings and installing emergency power generators at Andover, Eaton, Pecatonica, and Cypress	<u>64,211</u>
Total	\$6,125,090

Section 170. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from an appropriation and reappropriation heretofore made for such purpose in Article 5, Division FY04, Section 9, Division FY03, Section 14, Division FY02, Section 21, and Division FY01, Section 17 of Public Act 93-587, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of State Police for the project hereinafter enumerated:

SPRINGFIELD STATE POLICE, PAWNEE FACILITY

(From Article 5, Division FY04, Section 9 of Public Act 93-587)
For safety improvements at
the firing range

1,200,000

STATEWIDE

(From Article 5, Division FY03, Section 14 of Public Act 93-587)
For upgrading firing range facilities

375,950

DISTRICT 22 – ULLIN

(From Article 5, Division FY02, Section 21 of Public Act 93-587)
For upgrading the HVAC system, in
Addition to funds previously appropriated

36,328

JOLIET DISTRICT 5 – WILL COUNTY

(From Article 5, Division FY01, Section 17 of Public Act 93-587)
For replacing roof

42,979
Total \$1,655,257

Section 175. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made for such purposes in Article 1, Section 10, and Article 2, Sections 14 of Public Act 93-587, are reappropriated from the Capital Development Fund to the Capital Development Board for the Department of Veterans' Affairs for the projects hereinafter enumerated:

ANNA VETERANS HOME

(From Article 2, Section 14 of Public Act 93-587)

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For constructing a garage	315,292
LASALLE VETERANS' HOME	
(From Article 1, Section 10 of Public Act 93-587)	
For replacing the roofing system	310,000
For replacing the domestic water system	110,000
(From Article 2, Section 14 of Public Act 93-587)	
For a grant to LaSalle Veterans' home for all costs associated with architectural and engineering designs	38,152
MANTENO VETERANS' HOME - KANKAKEE COUNTY	
(From Article 1, Section 10 of Public Act 93-587)	
For replacing air conditioner chillers	1,170,000
(From Article 2, Section 14 of Public Act 93-587)	
For replacing condensing units	346,180
For upgrading or constructing roads and parking lots	55,922
For planning and constructing additional storage and support areas	99,590
For upgrading courtyard program spaces	706,872
For upgrading storm sewer	109,179
For construction of a special care facility	164,368
QUINCY VETERANS' HOME - ADAMS COUNTY	
For constructing a bus and ambulance garage	868,293
For improvements to various buildings and replacement of Fletcher Building to meet licensure standards	<u>2,562,961</u>
Total	\$6,856,809
Section 180. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made in Article 2, Section 14a of Public Act 93-587, are reappropriated from the Tobacco Settlement Recovery Fund to the Capital Development Board for the Department of Veterans' Affairs for the projects hereinafter enumerated:	
MANTENO VETERANS' HOME - KANKAKEE COUNTY	
For installing humidifiers and dehumidifiers	407,950
For resurfacing roads and parking lots	87,556
For demolishing buildings	1,224,881
QUINCY VETERANS' HOME - ADAMS COUNTY	
For renovating power plant equipment	<u>130,121</u>
Total	\$1,850,508
Section 185. The following named amount, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made for such purpose in Article 5, Division FY04, Section 11, Division FY03, Section 15, and Division FY02, Section 22 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Department of Veterans' Affairs for the project hereinafter enumerated:	
MANTENO VETERANS HOME	
(From Article 5, Division FY04, Section 11 of Public Act 93-587)	
For completing the upgrade of emergency generators	600,000
(From Article 5, Division FY03, Section 15 of Public Act 93-587)	
For installing humidifiers and dehumidifiers, in addition to funds previously appropriated	1,000,000
LASALLE VETERANS HOME - LASALLE COUNTY	
(From Article 5, Division FY02, Section 22 of Public Act 93-587)	
For planning expansion of facility	496,961
MANTENO VETERANS HOME - KANKAKEE COUNTY	

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For constructing an equipment storage building	<u>918,361</u>
Total	\$3,015,322

Section 190. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from reappropriations heretofore made for such purposes in Article 1, Section 2 and Article 2, Section 15 of Public Act 93-587, are reappropriated from the Capital Development Fund to the Capital Development Board for the projects hereinafter enumerated:

EXECUTIVE MANSION - SPRINGFIELD

(From Article 2, Section 15 of Public Act 93-587)	
For building improvements	399,880

ATTORNEY GENERAL BUILDING - SPRINGFIELD

For planning an annex or addition and beginning construction of parking facilities	35,932
For upgrading environmental equipment and HVAC, in addition to funds previously appropriated - Archives Building	446,974
For upgrading the life/safety and security systems - Capitol Building	119,706
For renovation of the Waterways Building for the Fourth District of the Appellate Court	15,103

STATE CAPITOL BUILDING

For upgrading the life/safety and security systems, in addition to funds previously appropriated	642,717
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STATEWIDE

(From Article 1, Section 2 of Public Act 93-587)	
For the purposes of capital planning and condition assessment and analysis of State capital facilities, to be expended only upon the direction of the Director of the Bureau of the Budget	5,000,000
(From Article 2, Section 15 of Public Act 93-587)	
For abating hazardous materials	1,714,197
For retrofitting or upgrading mechanized refrigeration equipment (CFCs)	650,000
For surveys and modifications to buildings to meet requirements of the federal Americans with Disabilities Act (ADA)	1,846,168
For surveys and modifications to buildings to meet requirements of the federal Americans with Disabilities Act (ADA)	2,320,518
For upgrading and remediating aboveground and underground storage tanks	1,000,000
For abating hazardous materials	190,765
For retrofitting or upgrading mechanized refrigeration equipment (CFCs)	4,000,000
For surveys and modifications to buildings to meet requirements of the federal Americans with Disabilities Act	4,265,965
For abating hazardous materials	742,024
For retrofitting or upgrading mechanized refrigeration equipment (CFCs)	3,154,050
For upgrading and remediating aboveground and underground storage tanks	3,500,000
For surveys and modifications to buildings to meet requirements of the federal	

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Americans With Disabilities Act	150,217
For retrofitting or upgrading mechanized refrigeration equipment (CFCs)	787,474
For abating hazardous materials	382,636
For upgrading and remediating underground storage tanks	7,414,822
For surveys and modifications to buildings to meet requirements of the federal Americans with Disabilities Act	208,537
For abatement of hazardous materials	374,616
For upgrading/retrofitting mechanized refrigeration equipment (CFCs)	53,118
For upgrade and remediation of underground storage tanks	382,370
For abatement of hazardous materials	190,856
For upgrade and remediation of underground storage tanks	115,874
For survey for and abatement of asbestos-containing materials	98,812
For upgrade/retrofit of mechanized refrigeration equipment (CFCs)	38,426
For abatement of hazardous conditions, including underground storage tanks, in addition to funds previously appropriated	78,894
For surveys and modifications to buildings to meet requirements of the federal Americans with Disabilities Act	1,409,452
For demolition of buildings	82,050
For retrofitting/upgrading mechanical refrigeration equipment	30,551
For the planning, upgrade and replacement of potentially hazardous underground storage tanks	96,263
For surveys and abatement of asbestos-containing materials	<u>41,423</u>
Total	\$41,980,390

Section 195. The amount of \$590,032, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 2, Section 16 of Public Act 93-587, is reappropriated from the Asbestos Abatement Fund to the Capital Development Board for surveying and abating asbestos-containing materials statewide.

Section 200. The amount of \$994,978, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 2, Section 17 of Public Act 93-587, is reappropriated from the Asbestos Abatement Fund to the Capital Development Board for asbestos surveys and emergency abatement in relation to asbestos abatement in state governmental buildings or higher education residential and auxiliary enterprise buildings.

Section 205. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 2, Section 18 of Public Act 93-587, are reappropriated from the Tobacco Settlement Recovery Fund to the Capital Development Board for the projects hereinafter enumerated:

STATEWIDE

(From Article 2, Section 18 of Public Act 93-587)

Survey for and abate hazardous materials	780,987
For repairing minor problems and emergencies	994,796

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For tuckpointing and repairing exterior of buildings	192,900
For demolition of buildings	396,891
For archeological studies of construction sites	100,000
For repairing minor problems and emergencies	<u>3,753,509</u>
Total	\$6,219,083

Section 210. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from reappropriations heretofore made for such purposes in Article 2, Section 20 of Public Act 93-587, are reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Community College Board for the projects hereinafter enumerated:

CARL SANDBURG COLLEGE

(From Article 2, Section 20 of Public Act 93-587)

For constructing a computer/ student center	47,137
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CITY COLLEGES OF CHICAGO

For various bondable capital improvements	8,887,250
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CITY COLLEGES OF CHICAGO/KENNEDY KING

For remodeling for Workforce Preparation Centers	3,695,942
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For remodeling for a culinary arts educational facility	10,875,000
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CITY COLLEGES OF CHICAGO - MALCOLM X COLLEGE

For remodeling the Allied Health program facilities	4,316,750
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COLLEGE OF DUPAGE

For upgrading the Instructional Center heating, ventilating and air conditioning systems	273,534
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COLLEGE OF LAKE COUNTY

For planning and beginning construction of a technology building - Phase 1	399,218
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ILLINOIS VALLEY COMMUNITY COLLEGE

For planning, construction and renovations necessary to abate asbestos containing materials at campus facilities	1,066,987
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JOHN A. LOGAN COMMUNITY COLLEGE - CARTERVILLE

For constructing additions and site improvements, in addition to funds previously appropriated	13,246
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For planning, construction, utilities, site improvements, equipment and other costs necessary for a new Workforce Development and Community Education Facility. The provisions of Article V of the Public Community College Act are not applicable to this appropriation	271,813
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JOHN WOOD COMMUNITY COLLEGE - QUINCY

For planning campus buildings and site improvements	87,647
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KANKAKEE COMMUNITY COLLEGE

For constructing a laboratory/classroom facility	2,631,452
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LAKELAND COLLEGE

Student Services Building addition	6,602,331
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LAKE LAND COLLEGE - MATTOON

[July 24, 2004]

For constructing a Technology Building, a parking area and for site improvements	25,555
For constructing a classroom/administration building and purchasing equipment, in addition to funds previously appropriated	185,916
LEWIS AND CLARK COMMUNITY COLLEGE - GODFREY	
For a grant to Lewis and Clark Community College for all costs associated with construction redevelopment, infrastructure and engineering costs at the N.O. Nelson property in Edwardsville	7,827
For constructing classroom and office building and additions, and remodeling of Haskell Hall	41,820
LINCOLN LAND COMMUNITY COLLEGE - SPRINGFIELD	
For constructing a conference & training facility addition to the Millenium Center, in addition to funds previously appropriated	82,394
For constructing an addition and remodeling Sangamon and Menard Halls	42,723
MCHENRY COUNTY COLLEGE	
For constructing classrooms and a student services building and remodeling space, in addition to funds previously appropriated	826,701
MORAINE VALLEY COMMUNITY COLLEGE - PALOS HILLS	
For constructing a classroom/administration building, providing site improvements and purchasing equipment, in addition to funds previously appropriated	50,336
OAKTON COMMUNITY COLLEGE	
For planning an addition to Ray Harstein campus - Phase 1	85,664
PRAIRIE STATE COLLEGE - CHICAGO HEIGHTS	
For constructing an addition to the Adult Training/Outreach Center, in addition to funds previously appropriated	2,632,174
REND LAKE COLLEGE - INA	
For site development, design and construction of an Industrial & Community Training Center at Pinckneyville Industrial Park	20,644
RICHLAND COMMUNITY COLLEGE - DECATUR	
For remodeling and constructing additions	149,526
SOUTHWESTERN ILLINOIS COLLEGE (Formerly BELLEVILLE AREA COLLEGE)	
For renovating campus buildings and site improvements at the Belleville and Red Bud campuses	46,022
SOUTH SUBURBAN COLLEGE	
For improving flood retention	437,000
SPOON RIVER COLLEGE	
For remodeling Engle Hall and constructing a maintenance building	355,901
TRITON COMMUNITY COLLEGE - RIVER GROVE	
For rehabilitating the Liberal Arts Building	1,553,487
For rehabilitating the potable water	

distribution system		70,146
	STATEWIDE	
For the Illinois Community College Board miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various community Colleges. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for this purpose		1,910,745
	STATEWIDE	
For miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various community colleges. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes		5,691,847
For miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various community colleges. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes		4,227,309
	STATEWIDE - CONSTRUCTION DEFECTS	
For planning, construction and renovation to correct defectively designed or constructed community college facilities, provided that monies recovered based upon claims arising out of such defective design or construction shall be paid to the state as required by Section 105.12 of the Public Community College Act as reimbursement for monies expended pursuant to this appropriation		420,847
Total		\$58,022,312

Section 215. The amount of \$1,593, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for such purpose in Article 5, Division FY00, Section 1-13 of Public Act 93-587, as amended, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board to plan and construct an industrial training center at Illinois Central College.

Section 220. The amount of \$444,171, or so much thereof as may be necessary, and remains unexpended on June 30, 2004, from appropriations heretofore made for such purposes in Article 5, Division FY91, Section 10G of Public Act 93-587, as amended, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Illinois Community College Board for grants to community colleges repair, renovation, and miscellaneous capital improvements including construction, reconstruction, remodeling, improvement, repair and installation of capital facilities, costs of planning, supplies, equipment, materials, services, and all other expenses required to complete the work. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 225. The sum of \$1,907,066, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for such purpose in Article 2, Section 22 of Public Act 93-587 is reappropriated from the

Capital Development Fund to the Capital Development Board for the Illinois Community College Board for miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various community colleges. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 230. The sum of \$2,010,657, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for such purposes in Article 2, Section 23 of Public Act 93-587, is reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Community College Board for miscellaneous capital improvements including construction, reconstruction, remodeling, improvement, repair and installation of capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various community colleges. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 235. The sum of \$2,847,981, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for such purposes in Article 2, Section 24 of Public Act 93-587, is reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Community College Board for miscellaneous capital improvements including construction, reconstruction, remodeling, improvement, repair and installation of capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various community colleges. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 240. The sum of \$711,865, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for such purposes in Article 2, Section 25 of Public Act 93-587, is reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Community College Board for grants to community colleges for miscellaneous capital improvements including construction, reconstruction, remodeling, improvements, repair and installation of capital facilities, cost of planning, supplies, equipment, materials, services, and all other expenses required to complete the work. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 245. The sum of \$3,600,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made for such purpose in Article 2, Section 26 of Public Act 93-587, is reappropriated from the Capital Development Fund to the Capital Development Board for miscellaneous capital improvements at various educational facilities statewide, in addition to funds previously appropriated.

Section 250. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made for such purposes in Article 2, Section 27 of Public Act 93-587, are reappropriated from the Capital Development Fund to the Capital Development Board for the Board of Higher Education for the projects hereinafter enumerated:

ILLINOIS MATHEMATICS AND SCIENCE ACADEMY - AURORA

To plan and begin construction of a space for the delivery of teacher training and development and student enrichment programs	108,843
For replacing carpeting, constructing storage building and various site improvements, including extending communications conduit system	<u>186,408</u>
Total	\$295,251

Section 255. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made in Article 1, Section 12 and Article 2, Section 28 of Public Act 93-587, are reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Board of Higher Education for the projects hereinafter enumerated:

STATEWIDE

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(From Article 1, Section 12 of Public Act 93-587)

For miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various universities. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes	20,000,000
Chicago State University	322,100
Eastern Illinois University	515,500
Governors State University	189,700
Illinois State University	1,021,300
Northeastern Illinois University	383,700
Northern Illinois University	1,159,000
Western Illinois University	792,200
Southern Illinois University - Carbondale	1,625,000
Southern Illinois University - Edwardsville	763,100
University of Illinois - Chicago	2,777,300
University of Illinois - Springfield	229,100
University of Illinois - Urbana/Champaign	4,150,300
Illinois Community College Board	6,071,700

(From Article 2, Section 28 of Public Act 93-587)

For miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various universities. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes	19,769,057
Chicago State University	322,100
Eastern Illinois University	515,500
Governors State University	132,852
Illinois State University	1,021,300
Northeastern Illinois University	383,700
Northern Illinois University	1,159,000
Western Illinois University	792,200
Southern Illinois University - Carbondale	1,450,905
Southern Illinois University - Edwardsville	763,100
University of Illinois - Chicago	2,777,300
University of Illinois - Springfield	229,100
University of Illinois - Urbana/Champaign	4,150,300
Illinois Community College Board	

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College Board	6,071,700
(From Article 2, Section 28 of Public Act 93-587)	
For miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various universities	
This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes	8,100,380
Chicago State University	309,429
Eastern Illinois University	515,500
Illinois State University	1,021,300
Northeastern Illinois University	383,700
Northern Illinois University	1,159,000
Western Illinois University	791,946
Southern Illinois University - Carbondale	250,820
University of Illinois - Chicago	2,318,054
University of Illinois - Springfield	229,100
University of Illinois - Urbana/Champaign	1,121,531
For miscellaneous capital improvements, including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various universities.	
This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes	4,998,188
Eastern Illinois University	477,768
Illinois State University	548,098
Northeastern Illinois University	375,400
Northern Illinois University	1,249,300
Western Illinois University	198,034
Southern Illinois University - Carbondale	110,360
University of Illinois - Chicago	729,267
University of Illinois - Urbana/Champaign	1,309,961
For miscellaneous capital improvements including construction, reconstruction remodeling, improvements, repair and installation of capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various universities set forth below. This appropriated amount shall be in addition to any other appropriated amounts which can	

be expended for these purposes	2,847,823
Chicago State University	191,127
Eastern Illinois University	165,140
Illinois State University	317,735
Northeastern Illinois University	164,738
Northern Illinois University	861,486
Western Illinois University	79,906
Southern Illinois University - Carbondale	20,639
University of Illinois - Chicago Campus	72,155
University of Illinois - Champaign/Urbana Campus	974,897
(From Article 2, Section 28 of Public Act 93-587)	
For miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various universities set forth below. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes	2,127,967
For Eastern Illinois University	378,390
For Illinois State University	52,904
For Northeastern Illinois University	275,416
For Northern Illinois University	248,136
For Western Illinois University	39,423
For University of Illinois – Chicago	318,991
For University of Illinois - Urbana-Champaign	814,707
For miscellaneous capital improvements, including construction, reconstruction, remodeling, improvement, repair and installation of capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various universities set forth below. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes	1,613,158
For Eastern Illinois University	36,177
For Northern Illinois University	207,220
For Southern Illinois University - Carbondale	22,188
For Southern Illinois University - Edwardsville	35,137
For University of Illinois - Chicago	803,196
For University of Illinois - Urbana-Champaign	509,240
For miscellaneous capital improvements including construction, reconstruction, remodeling, improvement, repair and installation of capital facilities, cost of planning, supplies, equipment,	

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materials, services and all other expenses
required to complete the work at the
various universities set forth below.

This appropriation shall be in addition
to any other appropriated amounts which
can be expended for these purposes

	960,637
For Chicago State University	121,395
For Eastern Illinois University	199,051
For Governors State University	71,798
For Illinois State University	90,825
For Northeastern Illinois University	36,177
For Northern Illinois University	207,446
For Southern Illinois University	4,764
For University of Illinois	229,181

SOUTHERN ILLINOIS UNIVERSITY

(From Article 2, Section 28 of Public Act 93-587)

For Southern Illinois University for miscellaneous capital improvements including construction, reconstruction, remodeling, improvements, repair and installation of capital facilities, cost of planning, supplies, equipment, materials services and all other expenses required to complete the work. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes	121,599
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UNIVERSITY OF ILLINOIS

For the Board of Trustees of the University of Illinois for miscellaneous capital improvements including construction, reconstruction, remodeling, improvement, repair and installation of capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required for completing the work at the colleges and universities. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes	151,343
For the Board of Higher Education for miscellaneous capital improvements, including construction, reconstruction, remodeling, improvements, repair and installation of capital facilities, cost of planning, supplies, equipment, materials, services, and all other expenses required to complete the work at the colleges and universities hereinafter enumerated. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes:	

Northern Illinois University	<u>83,324</u>
Total	\$60,773,476

Section 260. The sum of \$164,387, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for such purposes in Article 2, Section 29 of Public Act 93-587, is reappropriated from the Capital

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Development Fund to the Capital Development Board for the Board of Higher Education for miscellaneous capital improvements, including construction, reconstruction, remodeling, improvement, repair and installation of capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required for completing the work at the colleges and universities. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 265. The following named amounts, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made for such purposes in Article 5, Division FY04, Section 6, Division FY03, Section 6, Division FY02, Section 26, Division FY01, Section 23, and Division FY00, Section 1-1 of Public Act 93-587, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Illinois Board of Higher Education for the projects hereinafter enumerated:

(From Article 5, Division FY04, Section 6 of Public Act 93-587)

For miscellaneous capital improvements

including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various universities. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Chicago State University	161,000
Eastern Illinois University	257,800
Governors State University	94,900
Illinois State University	510,700
Northeastern Illinois University	191,800
Northern Illinois University	579,500
Western Illinois University	396,100
Southern Illinois University - Carbondale	812,500
Southern Illinois University - Edwardsville	381,500
University of Illinois - Chicago	1,388,600
University of Illinois - Springfield	114,600
University of Illinois - Urbana/Champaign	2,075,100
Illinois Community College Board	<u>3,035,900</u>
Total	\$10,000,000

(From Article 5, Division FY03, Section 6 of Public Act 93-587)

For miscellaneous capital improvements

including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various universities. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Chicago State University	161,000
Eastern Illinois University	256,301
Governors State University	94,900
Illinois State University	510,700
Northeastern Illinois University	191,800
Northern Illinois University	579,500
Western Illinois University	396,100
Southern Illinois University - Carbondale	788,154
Southern Illinois University - Edwardsville	370,079
University of Illinois - Chicago	1,388,600
University of Illinois - Springfield	114,600

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University of Illinois - Urbana/Champaign	2,075,100
Illinois Community College Board	<u>3,033,258</u>
Total	\$9,960,092

(From Article 5, Division FY02, Section 26 of Public Act 93-587)

For miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various universities. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Chicago State University	160,400
Eastern Illinois University	257,800
Governors State University	45,618
Illinois State University	481,702
Northeastern Illinois University	50,568
Northern Illinois University	579,500
Western Illinois University	359,293
Southern Illinois University - Carbondale	184,460
Southern Illinois University - Edwardsville	1
University of Illinois - Chicago	1,352,500
University of Illinois - Springfield	78,866
University of Illinois - Urbana/Champaign	<u>1,599,698</u>
Total	\$5,150,406

(From Article 5, Division FY01, Section 23 of Public Act 93-587)

For miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various universities. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Chicago State University	34,624
Eastern Illinois University	240,116
Governors State University	31,326
Illinois State University	604,900
Northeastern Illinois University	87,701
Northern Illinois University	624,700
Western Illinois University	11,275
Southern Illinois University - Carbondale	20,279
University of Illinois - Chicago	424,251
University of Illinois - Springfield	30,052
University of Illinois - Urbana/Champaign	<u>268,540</u>
Total	\$2,377,764

(From Article 5, Division FY00, Section 1-1 of Public Act 93-587)

For miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various universities. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Chicago State University	102,879
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Eastern Illinois University	134,474
Governors State University	0
Illinois State University	141,620
Northeastern Illinois University	80,000
Northern Illinois University	340,000
Western Illinois University	38,564
University of Illinois- Champaign/Urbana	65,946
University of Illinois-Chicago	0
Total	\$903,483

Section 270. The sum of \$2,943,792, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 5, Division FY02, Section 25 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Illinois Community College Board for miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various community colleges. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 275. The sum of \$2,170,317, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 5, Division FY01, Section 22 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Illinois Community College Board for miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the various community colleges. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 280. The following named amounts, or so much thereof as may be necessary and remain unexpended at the close of business on June 30, 2004, from appropriations and reappropriations heretofore made in Article 1, Section 12 and Article 2, Section 30 of Public Act 93-587, are reappropriated from the Capital Development Fund to the Capital Development Board for the Illinois Board of Higher Education for the projects hereinafter enumerated:

CHICAGO STATE UNIVERSITY

(From Article 1, Section 12 of Public Act 93-587)

For replacing primary electrical feeder cable	1,000,000
(From Article 2, Section 30 of Public Act 93-587)	
For roof replacement projects	4,400,000
For the construction of a conference center	5,000,000
For the construction of a day care facility	4,927,811
For the construction of a student financial outreach building	5,000,000
For constructing a new library facility, site improvements, utilities, and purchasing equipment, in addition to funds previously appropriated	13,492,621
For technology improvements and deferred maintenance	1,790,400
For remodeling Building K, in addition to funds previously appropriated	9,021,380
For planning and beginning to remodel Building K and improving site	1,005,474
For planning, site improvements, utilities, construction, equipment and other costs necessary for a new library facility	7,846,920
For a grant to Chicago State University for all costs associated with construction of a Convocation Center	8,498,757
For upgrading campus infrastructure,	

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in addition to the funds previously appropriated	704,490
For renovating buildings and upgrading mechanical systems	535,658
EASTERN ILLINOIS UNIVERSITY	
(From Article 1, Section 12 of Public Act 93-587) For upgrading the electrical distribution system	4,217,100
(From Article 2, Section 30 of Public Act 93-587) For renovating and expanding the Fine Arts Center, in addition to funds previously appropriated	39,702,200
For planning and beginning to renovate and expand the Fine Arts Center - Phase 1, in addition to funds previously appropriated	1,511,247
For planning and beginning to renovate and expand the Fine Arts Center	1,824,490
For upgrading campus buildings for health, safety and environmental improvements	386,432
For constructing an addition and renovating Booth Library	164,441
GOVERNORS STATE UNIVERSITY	
For constructing addition and remodeling the teaching & learning complex, in addition to funds previously appropriated	15,145,819
For costs associated with establishing a campus-wide fire alarm system at Governor's State University	852,829
For constructing a child development center and an addition to the main building and remodeling Wings E and F	106,006
For upgrading and replacing cooling and refrigeration systems and equipment	260,036
For remodeling the main building	169,802
ILLINOIS STATE UNIVERSITY	
(From Article 1, Section 12 of Public Act 93-587) For renovating Stevenson and Turner Halls for life/safety	22,145,000
(From Article 2, Section 30 of Public Act 93-587) For the upgrade and remodeling of Schroeder Hall	16,563,925
For planning and beginning to rehabilitate Schroeder Hall	435,067
For planning, site improvements, utilities, construction, equipment and other costs necessary for a new facility for the College of Business	3,068,029
For remodeling Julian and Moulton Halls	623,305
NORTHEASTERN ILLINOIS UNIVERSITY	
For renovating Building "C" and remodeling and expanding Building "E" and Building "F"	8,790,495
For planning and beginning to remodel Buildings A, B and E	3,666,246
For remodeling in the Science Building to upgrade heating, ventilating and air	

conditioning systems	2,021,400
For replacing fire alarm systems, lighting and ceilings	1,405,413
For renovating the auditorium in Building E	188,362
For renovation of Buildings E, F, and the auditorium, and demolition and replacement of Buildings G, J and M, in addition to amounts previously appropriated	102,848
For remodeling the library	75,323
NORTHERN ILLINOIS UNIVERSITY	
For renovating the Founders Library basement, in addition to funds previously appropriated	669,635
For planning a classroom building and developing site in Hoffman Estates	1,314,500
For completing the construction of the Engineering Building, in addition to amounts previously appropriated for such purpose	3,775,481
For renovating Altgeld Hall and purchasing equipment	1,730,741
For upgrading storm waterway controls in addition to funds previously appropriated	1,076,401
SOUTHERN ILLINOIS UNIVERSITY	
For planning, construction and equipment for a cancer center	14,010,728
SOUTHERN ILLINOIS UNIVERSITY - CARBONDALE	
For renovating and constructing an addition to the Morris Library, in addition to funds previously appropriated	25,690,000
For planning a renovation and addition to the Morris Library	1,068,906
For renovating Altgeld Hall and Old Baptist Foundation, in addition to funds previously appropriated	1,589,801
For site improvements and purchasing equipment for the Engineering and Technology Building	11,190
For construction of an engineering building annex	8,073
SOUTHERN ILLINOIS UNIVERSITY - EDWARDSVILLE	
For planning, construction and equipment for an advanced technical worker training facility	1,027,745
For construction of the Engineering Facility building and related site improvements	24,511
For replacement of the high temperature water distribution system	168,709
SIU SCHOOL OF MEDICINE - SPRINGFIELD	
For constructing and for equipment for an addition to the combined laboratory, in addition to funds previously appropriated	3,879,576
UNIVERSITY OF ILLINOIS AT CHICAGO	
(From Article 2, Section 30 of Public Act 93-587)	
Plan, construct, and equip the Chemical	

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Sciences Building	57,600,000
For planning, construction and equipment for a chemical sciences building	6,400,000
To plan and begin construction of a medical imaging research/clinical facility	2,747,439
For remodeling the Clinical Sciences Building	1,012,572
For the renovation of the court area and Lecture Center, in addition to funds previously appropriated	713,318
UNIVERSITY OF ILLINOIS AT CHICAGO	
For remodeling Alumni Hall, Phase II, including utilities	22,874
UNIVERSITY OF ILLINOIS AT CHAMPAIGN-URBANA	
(From Article 1, Section 12 of Public Act 93-587)	
For planning, analysis and design of Lincoln Hall. Design cannot proceed beyond Program Analysis/Preliminary Design unless approved in writing by the Governor	2,000,000
(From Article 2, Section 30 of Public Act 93-587)	
Expansion of Microelectronics Lab	17,607,743
For planning, construction and equipment for a biotechnology genomic facility	67,302,061
For planning, construction and equipment for a supercomputing application facility	22,265,960
For planning, construction and equipment for a technology transfer incubator facility	37,057
To plan and begin construction of a biotechnology/genomic facility	2,713,467
To plan and begin construction of a supercomputing application facility	773,243
To plan and begin construction of a technology transfer incubator facility	118,932
For remodeling the Mechanical Engineering Laboratory Building	36,644
For initiating a campus flood control project	60,806
UNIVERSITY CENTER OF LAKE COUNTY	
For constructing a university center and purchasing equipment, in addition to funds previously appropriated	7,993,382
For land, planning, remodeling, construction and all costs necessary to construct a facility	10,622,467
WESTERN ILLINOIS UNIVERSITY - MACOMB	
Plan and construct performing arts center	4,000,000
For improvements to Memorial Hall <u>11,931,823</u>	
Total	\$458,655,111

Section 285. The following named amount, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 1, Section 13 of Public Act 93,587, is reappropriated from the Capital Development Fund to the Capital Development Board for Southern Illinois University School of Medicine, Springfield, for the project hereinafter enumerated:

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SOUTHERN ILLINOIS UNIVERSITY SCHOOL
OF MEDICINE – SPRINGFIELD

(From Article 1, Section 13 of Public Act 93-587)

For construction and equipment
for an addition to the combined
laboratory for Illinois State Police
Crime Lab

2,110,070

Section 290. The following named amounts, or so much thereof as may be necessary, and remain unexpended on June 30, 2004, from appropriations heretofore made for such purposes in Article 5, Division FY91, Section 2-6 of Public Act 93-587, as amended, are reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Board of Higher Education for the projects hereinafter enumerated:

NORTHERN ILLINOIS UNIVERSITY - DEKALB

To construct and equip the Engineering

Building 41,524

To purchase equipment and complete

construction for Faraday Hall Addition 93,085

Total, Build Illinois Bond Fund \$134,609

Section 295. The following named amount, or so much thereof as may be necessary, and remains unexpended on June 30, 2004, from appropriations heretofore made for such purposes in Article 5, Division FY91, Section 2-8 of Public Act 93-587, as amended, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the University of Illinois for the projects hereinafter enumerated:

UNIVERSITY OF ILLINOIS URBANA-CHAMPAIGN

To construct and equip the Chemical and Life

Sciences Building 41,746

Section 300. The following named amount, or so much thereof as may be necessary, and remains unexpended on June 30, 2004, from appropriations heretofore made for such purposes in Article 5, Division FY91, Section 2-20.1 of Public Act 93-587, as amended, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Board of Higher Education for the projects hereinafter enumerated:

NORTHERN ILLINOIS UNIVERSITY - DE KALB

For construction of the Engineering Building

including extension of utilities, in
addition to funds previously appropriated
for such purpose

55,370

Section 305. The amount of \$74,795, or so much thereof as may be necessary, and remains unexpended on June 30, 2004, from appropriations heretofore made for such purposes in Article 5, Division FY91, Section 10E of Public Act 93-587, as amended, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the University of Illinois for miscellaneous capital improvements including construction, reconstruction, remodeling, improvement, repair and installation of capital facilities, costs of planning, supplies, equipment, materials, services, and all other expenses required to complete the work. This appropriation shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 310. The sum of \$22,390, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for such purposes in Article 2, Section 31 of Public Act 93-587, is reappropriated from the Capital Development Fund to the Capital Development Board for the Board of Trustees of the University of Illinois (formerly for the Department of Human Services) for renovation of the School of Public Health and Psychiatric Institute (formerly the ISPI building).

Section 315. The sum of \$1,500,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 2, Section 32 Public Act 93-587, is reappropriated from the Tobacco Settlement Recovery Fund to the Capital Development Board for a grant to the University of Illinois College of Medicine at Peoria for planning a Clinical and Basic Research Oncology Center.

Section 320. The following named amount, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 2, Section 33 of Public Act 93-587, is reappropriated from the Capital Development Fund to the Capital Development Board for the project hereinafter enumerated:

EAST ST. LOUIS COLLEGE CENTER

(From Article 2, Section 33 of Public Act 93-587)

For construction of facilities, remodeling,
site improvements, utilities and other
costs necessary for adapting the former
campus of Metropolitan Community College
for a Community College Center and Southern
Illinois University, in addition to funds
previously appropriated

4,918,765

Section 325. The following named amount or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made for such purpose in Article 1, Section 11 of Public Act 93-587, is reappropriated from the School Construction Fund to the Capital Development Board for the State Board of Education for the projects hereinafter enumerated:

STATEWIDE

(From Article 1, Section 11 of Public Act 93-587)

Grants for facility construction

397,210,828

Section 330. The sum of \$210,816,230, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 2, Section 34 of Public Act 93-587, is reappropriated from the School Construction Fund to the Capital Development Board for school construction grants pursuant to the School Construction Law, in addition to amounts previously appropriated for such purposes.

Section 335. The sum of \$77,517,195, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 2, Section 35 Public Act 93-587, is reappropriated from the School Construction Fund to the Capital Development Board for school construction grants pursuant to the School Construction Law, in addition to amounts previously appropriated for such purposes.

Section 340. The sum of \$40,273,862, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 2, Section 36 of Public Act 93-587, is reappropriated from the School Construction Fund to the Capital Development Board for school construction grants pursuant to the School Construction Law, in addition to amounts previously appropriated for such purposes.

Section 345. The sum of \$7,273,747, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 2, Section 37 of Public Act 93-587, is reappropriated from the School Construction Fund to the Capital Development Board for school construction grants pursuant to the School Construction Law, in addition to amounts previously appropriated for such purposes.

Section 350. The sum of \$964,824, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for such purposes in Article 2, Section 38 of Public Act 93-587, is reappropriated from the School Construction Fund to the Capital Development Board for school construction grants pursuant to the School Construction Law.

Section 355. The sum of \$1,223,663, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for such purposes in Article 2, Section 39 of Public Act 93-587, is reappropriated from the School Infrastructure Fund to the Capital Development Board for school construction grants pursuant to the School Construction Law.

Section 360. The amount of \$11,828,001 or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 2, Section 40 of Public Act 93-587, is reappropriated from the Capital Development Fund to the Capital Development Board for grants to units of local government and other eligible entities for all costs associated with land acquisition, construction and rehabilitation projects.

Section 365. The sum of \$50,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 5, Division FY04, Section 5 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Illinois Community College Board for miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials and all other expenses required to complete the work at

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the various community colleges. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 370. The sum of \$46,864,524, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 5, Division FY03, Section 5 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Illinois Community College Board for miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials and all other expenses required to complete the work at the various community colleges. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 380. The sum of \$29,751,093, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 5, Division FY02, Section 11 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for the Illinois Community College Board for miscellaneous capital improvements including construction, capital facilities, cost of planning, supplies, equipment, materials and all other expenses required to complete the work at the various community colleges. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 385. The sum of \$10,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 5, Division FY03, Section 16 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for a grant to Northwestern University for planning and construction of a Bio-Medical Research Facility. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 390. The sum of \$3,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 5, Division FY03, Section 17 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for a grant to Northwestern University for planning, construction, and equipment for a Nanofabrication and Molecular Center. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Section 395. The sum of \$2,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 5, Division FY02, Section 6 of Public Act 93-587, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for a grant to the Field Museum for planning, construction and equipment for a collection research center.

Section 400. The amount of \$1,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 5, Division FY02, Section 58 of Public Act 93-587, as amended, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for a grant to Northwestern University for the planning and construction of a biomedical research facility.

Section 405. The amount of \$10,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 5, Division FY02, Section 59 of Public Act 93-587, as amended, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for a grant to Northwestern University for planning, construction and equipment for a biomedical research facility.

Section 410. The amount of \$1,100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 5, Division FY02, Section 59a of Public Act 93-587, as amended, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for a grant to Northwestern University for planning, construction and equipment for a nanofabrication and molecular center.

Section 415. The sum of \$1,919,033, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for such purpose in Article 5, Division FY00, Section 1-3 of Public Act 93-587, as amended, is reappropriated from the Build Illinois Bond Fund to the Capital Development Board for miscellaneous capital improvements to state facilities including construction, reconstruction, remodeling, improvement, repair and installation of capital facilities, cost of planning, supplies, equipment, materials, services and all other expenses required to complete the work at the

facilities. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Total, Article 99

\$2,235,126,843

ARTICLE 100

ILLINOIS COMMERCE COMMISSION

Section 5. The sum of 3,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 1, Section 15 of Public Act 93-587, is reappropriated from the Capital Development Fund to the Illinois Commerce Commission for train whistle abatement in counties with over 3,000,000 in population, where a public highway crosses a railroad at grade.

Total, Article 100

\$3,000,000

ARTICLE 101

ENVIRONMENTAL PROTECTION AGENCY

Section 5. The sum of \$4,380,100, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from reappropriations heretofore made in Article 1, Section 24 of Public Act 93-96, is reappropriated to the Environmental Protection Agency from the Anti-Pollution Fund for payment of claims submitted, including claims submitted in prior years, to the state and approved for payment under the Leaking Underground Storage Tank Program established in Title XVI of the Environmental Protection Act.

Section 10. The sum of \$22,600,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from reappropriations heretofore made for such purpose in Article 1, Section 49 of Public Act 93-96, as amended, is reappropriated from the Anti-Pollution Fund to the Environmental Protection Agency for deposit into the Water Revolving Fund.

Section 15. The sum of \$11,000,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made for such purpose in Article 1, Section 49 of Public Act 93-96, as amended, is reappropriated from the Anti-Pollution Fund to the Environmental Protection Agency for deposit into the Water Revolving Fund.

Section 20. The sum of \$5,848,400, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 1, Section 50 of Public Act 93-96, as amended, is reappropriated from the Anti-Pollution Fund to the Environmental Protection Agency for grants to units of local government for wastewater facilities, pursuant to provisions of the "Anti-Pollution Bond Act."

Section 25. The amount of \$69,418,300, or so much thereof as may be necessary and remains unexpended on June 30, 2004, from reappropriations heretofore made for such purposes in Article 5, Division FY86-FY93, Section 10B of Public Act 93-0587, as amended, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for wastewater compliance grants to units of local government or sewer systems and wastewater treatment facilities pursuant to procedures and rules established under the Anti-Pollution Bond Act. These grants are limited to projects for which the local government provides at least 30% of the project cost. There is an approved project compliance plan, and there is an enforceable compliance schedule prior to the grant award. The grant award will be based on eligible project cost contained in the approved compliance plan.

Section 30. The sum of \$2,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made in Article 5, Division FY03, Section 3 of Public Act 93-0587, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for deposit into the Brownfields Redevelopment Fund for use pursuant to Sections 58.13 and 58.15 of the Environmental Protection Act.

Section 35. The sum of \$2,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 5, Division FY04, Section 3 of Public Act 93-0587, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for deposit into the Brownfields Redevelopment Fund for use pursuant to Sections 58.13 and 58.15 of the Environmental Protection Act.

Section 40. The sum of \$10,000,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 5, Division FY04, Section 4, is reappropriated from the Build Illinois Bond Fund

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to the Environmental Protection Agency for deposit into the Hazardous Waste Fund for use pursuant to Section 22.2 of the Environmental Protection Act.

Section 45. The sum of \$1,766,300, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 5, Division FY03, Section 25 of Public Act 93-0587, is reappropriated from the Build Illinois Bond Fund to the Environmental Protection Agency for grants and contracts for public drinking water infrastructure, including design and construction, where private drinking water wells have been contaminated by a hazardous substance.

Total, Article 101

\$129,013,100

ARTICLE 102

HISTORIC PRESERVATION AGENCY

Section 5. The sum of \$1,000,000, or so much thereof as may be necessary, and as remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 5c of Public Act 93-0093, as amended, is reappropriated from the Capital Development Fund to the Historic Preservation Agency for a grant to the Lake County Forest Preserve District for planning, construction and renovation of the Adlai Stevenson Home State Historic Site.

Section 10. The sum of \$437,800, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 1, Section 12 of Public Act 93-0093, as amended, is reappropriated from the Capital Development Fund to the Historic Preservation Agency for costs associated with the acquisition or improvements of Sugar Loaf and/or Fox Mounds or other properties within the Cahokia Mounds National Historic Landmark Boundary.

Section 15. The sum of \$460,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 1, Section 13 of Public Act 93-0093, as amended, is reappropriated from the Capital Development Fund to the Historic Preservation Agency for support facilities, acquisition or improvements for Sugar Loaf and/or Fox Mounds or other properties within the Cahokia Mounds National Historic Landmark Boundary.

Section 20. The sum of \$100,000, or so much thereof as may be necessary and as remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 5, Section 19 of Public Act 93-0587, as amended, is reappropriated from the Build Illinois Bond Fund to the Historic Preservation Agency for repairs, renovation and expansion of historic structures used for training.

Total, Article 102

\$1,997,800

ARTICLE 103

ILLINOIS FINANCE AUTHORITY

Section 5. The sum of \$10,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 5, Division FY04, Section 14 of Public Act 93-0587, is reappropriated from the Build Illinois Bond Fund to the Illinois Finance Authority for deposit into the Fire Truck Revolving Loan Fund for the purpose of making loans to fire departments, fire protection districts, and township fire departments as successor in interest to the Illinois Rural Bond Bank, pursuant to Section 845-75 of Public Act 93-0205.

Section 10. The sum of \$10,000,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 3, Section 2 of Public Act 93-0587, is reappropriated from the Fire Truck Revolving Loan Fund to the Illinois Finance Authority for loans to fire departments, fire protection districts, and township fire departments as successor in interest to the Illinois Rural Bond Bank, pursuant to Section 845-75 of Public Act 93-0205.

Total, Article 103

\$20,000,000

ARTICLE 104

MEDICAL DISTRICT COMMISSION

Section 5. The sum of \$10,768, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 3 of Public Act 93-69, is reappropriated from the Capital Development Fund to the Illinois Medical District Commission for acquisition of property, demolition and site improvements, and related costs within the Medical Center District, City of Chicago for Phase III and IV of District Development Initiative.

Section 10. The sum of \$1,462,072, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from appropriations heretofore made in Article 1, Section 2 of Public Act 93-69, is reappropriated from the Capital Development Fund to the Illinois Medical District Commission for acquisition of property, demolition and site improvements, and related costs within the Medical Center District, City of Chicago for Phase IV of District Development Initiative.

Section 15. No contract shall be entered into or obligation incurred for any expenditures from appropriations in Sections 10 and 15 of this Article until the purposes and amounts have been approved in writing by the Governor.

Total, Article 104

\$1,472,840

ARTICLE 105

ILLINOIS EMERGENCY MANAGEMENT AGENCY

Section 5. The amount of \$9,335,600, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Public Act 93-68, Article 1, Section 3, as amended, is reappropriated from the Federal Civil Preparedness Fund to the Illinois Emergency Management Agency for costs associated with a new State Emergency Operations Center.

Total, Article 105

\$9,335,600

ARTICLE 106

EASTERN ILLINOIS UNIVERSITY

Section 5. The sum of \$185,946, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for such purpose in Article 9, Section 10 of Public Act 93-90, is reappropriated from the Capital Development Fund to Eastern Illinois University for digitalization infrastructure for WEIU-TV.

Section 10. The sum of \$100,000, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for such purpose in Article 9, Section 15 of Public Act 93-90, is reappropriated from the Capital Development Fund to the Board of Trustees of Eastern Illinois University for digitalization infrastructure for WEIU-TV, in addition to amounts previously appropriated for such purpose for this fiscal year. No contract shall be entered into or obligation incurred for any expenditure from the appropriation made in this Section until after the purposes and amounts have been approved in writing by the Governor.

Section 15. The sum of \$5,430,384, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made for such purpose in Article 9, Section 25 of Public Act 93-90, is reappropriated from the Capital Development Fund to the Board of Trustees of Eastern Illinois University to purchase equipment for the renovation and expansion of the Fine Arts Center. No contract shall be entered into or obligation incurred for any expenditure from the appropriation made in this Section until after the purpose and amounts have been approved in writing by the Governor.

Section 20. The sum of \$408,631, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for such purpose in Article 9, Section 20 of Public Act 93-90, is reappropriated from the Capital Development Fund to the Board of Trustees of Eastern Illinois University to purchase equipment for the renovation and expansion of Booth Library. No contract shall be entered into or obligation incurred for any expenditure from the appropriation made in this Section until after the purposes and amounts have been approved in writing by the Governor.

Total, Article 106

\$6,124,961

ARTICLE 107

NORTHEASTERN ILLINOIS UNIVERSITY

Section 5. The sum of \$2,071,805, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 10, Section 15 of Public Act 93-90, is reappropriated from the Capital Development Fund to the Board of Trustees of Northeastern Illinois University to purchase equipment and remodel buildings A, B and E. This appropriation is in addition to any funds previously appropriated.

Total, Article 107

\$2,071,805

ARTICLE 108

NORTHERN ILLINOIS UNIVERSITY

Section 5. The sum of \$532,748, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for

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that purpose in Article 4, Section 40 of Public Act 93-587, is reappropriated from the Capital Development Fund to the Board of Trustees of Northern Illinois University for technology infrastructure improvements at Northern Illinois University. No contract shall be entered into or obligation incurred for any expenditures from the reappropriation made in this Section until after the purposes and amounts have been approved in writing by the Governor.

Section 10. The sum of \$43,366, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for that purpose in Article 4, Section 45 of Public Act 93-587, is reappropriated from the Capital Development Fund to the Board of Trustees of Northern Illinois University for purchasing Engineering Building equipment.

Total, Article 108

\$576,114

ARTICLE 109

SOUTHERN ILLINOIS UNIVERSITY

Section 5. The amount of \$42,797, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for such purpose in Article 4, Section 70 of Public Act 93-587, is reappropriated to Southern Illinois University from the Capital Development Fund for digitalization infrastructure for WSU-TV (Carbondale).

Section 10. The amount of \$30,801, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for such purpose in Article 4, Section 80 of Public Act 93-587, is reappropriated to Southern Illinois University from the Capital Development Fund for digitalization infrastructure for WUSI-TV (Olney).

Section 15. The amount of \$24,133, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for such purpose in Article 4, Section 75 of Public Act 93-587, is reappropriated to Southern Illinois University from the Capital Development Fund for digitalization infrastructure for WUSI-TV (Olney).

Section 20. The sum of \$800,000, or so much thereof as may be necessary, and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 4, Section 65 of Public Act 93-587, is reappropriated from the Capital Development Fund to the Board of Trustees of Southern Illinois University at Carbondale to purchase equipment for Altgeld Hall and the Old Baptist Foundation Building. This appropriation is in addition to any funds previously appropriated.

Total, Article 109

\$897,731

ARTICLE 110

UNIVERSITY OF ILLINOIS

Section 5. The sum of \$17,681,800, or so much thereof as may be necessary and remains unexpended on June 30, 2004, from a reappropriation heretofore made for such purpose in Article 4, Section 35 of Public Act 93-90, is reappropriated from the Capital Development Fund to the Board of Trustees of the University of Illinois to construct an education and research facility for the College of Medicine in Chicago, including planning, land acquisition, demolition, construction, remodeling, landscaping, site improvements, equipment, extension or modification of campus utility systems, relocation of programs, and such expenses as may be necessary to complete the facility.

Section 10. The sum of \$13,761,948, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 4, Section 80 of Public Act 93-90, as amended, is reappropriated from the Capital Development Fund to the Board of Trustees of the University of Illinois for all costs associated with the space needs of the Department of Natural Resources, Illinois Natural History Survey Division and State Water Survey Division on the campus of the University of Illinois in Champaign, including construction, capital facilities, planning, relocation, renovation and rehabilitation, mechanical systems, materials, services and all other costs required to complete the work.

Section 15. The sum of \$13,916,332, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 4, Section 70 of Public Act 93-90, is reappropriated from the Capital Development Fund to the Board of Trustees of the University of Illinois to plan and construct an Education and Research facility for the College of Medicine in Chicago, including planning, land acquisition,

demolition, construction, remodeling, landscaping, site improvements, equipment, extension or modification of campus utility systems, relocation of programs, and such expenses as may be necessary to complete the facility. This appropriation is in addition to any other funds appropriated for this purpose for this fiscal year.

Section 20. The sum of \$446,170, or so much thereof as may be necessary and remains unexpended on June 30, 2004, from a reappropriation heretofore made for such purpose in Article 4, Section 60 of Public Act 93-90, is reappropriated from the Capital Development Fund to the University of Illinois for digitalization infrastructure for WILL-TV (Urbana-Champaign).

Section 25. The sum of \$814,444, or so much thereof as may be necessary and remains unexpended on June 30, 2004, from a reappropriation heretofore made for such purpose in Article 4, Section 55 of Public Act 93-90, is reappropriated from the Capital Development Fund to the University of Illinois for digitalization infrastructure for WILL-TV (Urbana-Champaign).

Section 30. The sum of \$814,444, or so much thereof as may be necessary and remains unexpended on June 30, 2004, from an appropriation heretofore made for such purpose in Article 4, Section 65 of Public Act 93-90, is reappropriated from the Capital Development Fund to the University of Illinois for digitalization infrastructure for WILL-TV (Urbana-Champaign).

Section 35. The sum of \$13,752,813, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from an appropriation heretofore made in Article 4, Section 75 of Public Act 93-90, is reappropriated from the Capital Development Fund to the Board of Trustees of the University of Illinois to plan and construct a Classroom and Office Building at the Springfield Campus and related utility systems, including planning, land acquisition, demolition, construction, remodeling, landscaping, site improvements, equipment, extension or modification of campus utility systems, and such expenses as may be necessary to complete the facility. This appropriation is in addition to any other funds appropriated for this purpose for this fiscal year.

Section 40. The sum of \$52,953, or so much thereof as may be necessary and remains unexpended on June 30, 2004, from a reappropriation heretofore made for such purpose in Article 4, Section 30 of Public Act 93-90, is reappropriated from the Capital Development Fund to the Board of Trustees of the University of Illinois to plan for all aspects of construction and to acquire and develop land, including demolition, landscaping, site improvements, extension and modification of campus utility systems, relocation of programs, and such other expenses as may be necessary to construct a College of Medicine building in Chicago.

Section 45. The sum of \$12,291,197, or so much thereof as may be necessary and remains unexpended on June 30, 2004, from an appropriation heretofore made for such purpose in Article 4, Section 50 of Public Act 93-90, is reappropriated from the Capital Development Fund to the University of Illinois at Springfield for constructing a classroom and office building, in addition to funds previously appropriated.

Section 50. The sum of \$44,998, or so much thereof as may be necessary and remains unexpended on June 30, 2004, from an appropriation heretofore made for such purpose in Article 4, Section 45 of Public Act 93-90, is reappropriated from the Capital Development Fund to the University of Illinois for planning, construction, and equipment for a computer science in engineering facility.

Total, Article 110

\$73,577,099

ARTICLE 111

ILLINOIS COMMUNITY COLLEGE BOARD

Section 5. The sum of \$73,396, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation made for such purpose in Article 3, Section 10 of Public Act 93-90, is reappropriated from the Capital Development Fund to the Illinois Community College Board for distribution as grants to community colleges for technology infrastructure improvements. No contract shall be entered into or obligation incurred for any expenditures from the appropriation made in this Section until after the purposes and amounts have been approved in writing by the Governor.

Section 10. The sum of \$143,525, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation made for such purpose in Article 3, Section 5 of Public Act 93-90, is reappropriated from the Capital Development Fund to the Illinois Community College Board for distribution as grants to community colleges for technology infrastructure improvements. No contract shall be entered into or obligation incurred for any expenditures from the appropriation made in this Section until after the purposes and amounts have been approved in writing by the Governor.

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Section 15. The sum of \$2,178,358, or so much thereof as may be necessary and remains unexpended at the close of business on June 30, 2004, from a reappropriation heretofore made for such purpose in Article 5, Division FY00, Section 1-2 of Public Act 93-587, as amended, is reappropriated from the Build Illinois Bond Fund for the Illinois Community College Board for remodeling of facilities for compliance with the Americans with Disabilities Act. This appropriated amount shall be in addition to any other appropriated amounts which can be expended for these purposes.

Total, Article 111

\$2,395,279

ARTICLE 999

Section 999-99. Effective date. This Act takes effect upon becoming law.”.

Under the rules, the foregoing **Senate Bill No. 3340**, with House Amendment No. 1, was referred to the Secretary’s Desk.

JOINT ACTION MOTIONS FILED

The following Joint Action Motions to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Rules:

Motion to Concur in House Amendments 1 and 2 to Senate Bill 2207
 Motion to Concur in House Amendments 1 and 2 to Senate Bill 2208
 Motion to Concur in House Amendment 1 to Senate Bill 3340

LEGISLATIVE MEASURES FILED

The following Floor amendments to the House Bills listed below have been filed with the Secretary and referred to the Committee on Rules:

Senate Amendment No. 1 to House Bill 3828
 Senate Amendment No. 2 to House Bill 3828
 Senate Amendment No. 3 to House Bill 3828

REPORT FROM RULES COMMITTEE

Senator Viverito, Chairperson of the Committee on Rules, reported that the following Legislative Measures have been approved for consideration:

Motion to Concur in House Amendments 1 and 2 to Senate Bill 2207; Motion to Concur in House Amendments 1 and 2 to Senate Bill 2208 and Motion to Concur in House Amendment 1 to Senate Bill 3340.

The foregoing concurrence was placed on the Secretary’s Desk.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS ON SECRETARY’S DESK

On motion of Senator Link, **Senate Bill No. 2207**, with House Amendments numbered 1 and 2 on the Secretary’s Desk, was taken up for immediate consideration.

Senator Link moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 55; Nays None; Present 1.

The following voted in the affirmative:

Althoff	Haine	Obama	Silverstein
Bomke	Halvorson	Peterson	Soden
Brady	Harmon	Petka	Sullivan, D.

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Burzynski	Hendon	Radogno	Sullivan, J.
Clayborne	Hunter	Rauschenberger	Syverson
Collins	Jones, J.	Righter	Trotter
Cronin	Lauzen	Risinger	Viverito
Crotty	Lightford	Ronen	Walsh
Cullerton	Link	Roskam	Watson
del Valle	Luechtefeld	Rutherford	Welch
DeLeo	Maloney	Sandoval	Winkel
Demuzio	Martinez	Schoenberg	Wojcik
Forby	Meeks	Shadid	Mr. President
Garrett	Munoz	Sieben	

The following voted present:

Dillard

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 2207**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Trotter, **Senate Bill No. 2208**, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Trotter moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 56; Nays None.

The following voted in the affirmative:

Althoff	Haine	Peterson	Sullivan, D.
Bomke	Halvorson	Petka	Sullivan, J.
Brady	Harmon	Radogno	Syverson
Burzynski	Hendon	Rauschenberger	Trotter
Clayborne	Hunter	Righter	Viverito
Collins	Jones, J.	Risinger	Walsh
Cronin	Lauzen	Ronen	Watson
Crotty	Lightford	Roskam	Welch
Cullerton	Link	Rutherford	Winkel
del Valle	Luechtefeld	Sandoval	Wojcik
DeLeo	Maloney	Schoenberg	Mr. President
Demuzio	Martinez	Shadid	
Dillard	Meeks	Sieben	
Forby	Munoz	Silverstein	
Garrett	Obama	Soden	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 2208**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 7:32 o'clock p.m., Senator Halvorson presiding.

On motion of Senator Welch, **Senate Bill No. 3340**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Welch moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

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Yeas 51; Nays 5.

The following voted in the affirmative:

Althoff	Haine	Peterson	Soden
Brady	Halvorson	Petka	Sullivan, D.
Burzynski	Harmon	Radogno	Sullivan, J.
Clayborne	Hendon	Rauschenberger	Syverson
Collins	Hunter	Righter	Trotter
Cronin	Lauzen	Ronen	Viverito
Crotty	Lightford	Roskam	Walsh
Cullerton	Link	Rutherford	Watson
del Valle	Maloney	Sandoval	Welch
DeLeo	Martinez	Schoenberg	Winkel
Demuzio	Meeks	Shadid	Wojcik
Forby	Munoz	Sieben	Mr. President
Garrett	Obama	Silverstein	

The following voted in the negative:

Bomke	Jones, J.	Risinger
Dillard	Luechtefeld	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 3340**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION 639

Offered by Senator Schoenberg and all Senators:
Mourns the death of Charles Aronin Lippitz of Evanston.

SENATE RESOLUTION 640

Offered by Senator Peterson and all Senators:
Mourns the death of Franklin L. Gossell of Wauconda.

SENATE RESOLUTION 641

Offered by Senator J. Sullivan and all Senators:
Mourns the death of Thomas L. "Tom" "T.L." Menn of Carthage.

SENATE RESOLUTION 642

Offered by Senator Risinger and all Senators:
Mourns the death of Gerald Duane Elmore of Buda.

SENATE RESOLUTION 643

Offered by Senator Forby and all Senators:
Mourns the death of James M. Wiggs of Benton.

SENATE RESOLUTION 644

Offered by Senator Dillard and all Senators:
Mourns the death of Sharon L. Merritt of Hinsdale.

SENATE RESOLUTION 646

Offered by Senator Brady and all Senators:

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Mourns the death of Gary E. Egbers of Bloomington.

SENATE RESOLUTION 647

Offered by Senator Hendon and all Senators:
Mourns the death of Rebecca King of Chicago.

SENATE RESOLUTION 648

Offered by Senator Link and all Senators:
Mourns the death of Loretta "Lollie" Drew of Waukegan.

SENATE RESOLUTION 650

Offered by Senator Clayborne and all Senators:
Mourns the death of Frances A. Schmieder of Quincy.

SENATE RESOLUTION 651

Offered by Senator D. Sullivan and all Senators:
Mourns the death of Walter Wietecha of Park Ridge.

Senator Halvorson moved the adoption of the foregoing resolutions. The motion prevailed.
And the resolutions were adopted.

MESSAGE FROM THE HOUSE

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 96

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn the Regular Session on Saturday, July 24, 2004, the House of Representatives stands adjourned in Regular Session to the Regular Perfunctory Session Schedule established by the Speaker of the House; and the Senate stands adjourned until Friday, November 05, 2004, in Perfunctory Session, and when it adjourns on that day, it stands adjourned until Monday, November 8, 2004 at 12:00 o'clock noon.

Adopted by the House, July 24, 2004.

MARK MAHONEY, Clerk of the House

By unanimous consent, on motion of Senator Welch, the foregoing message reporting House Joint Resolution No. 96, was taken up for immediate consideration.

Senator Welch moved that the Senate concur with the House in the adoption of the resolution.

The motion prevailed.

And the Senate concurred with the House in the adoption of the resolution.

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 7:59 o'clock p.m., pursuant to **House Joint Resolution No. 96**, the Chair announced the Senate stand adjourned until Friday, November 5, 2004.

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